

NOTICES OF PROPOSED RULEMAKING

Unless exempted by A.R.S. § 41-1005, each agency shall begin the rulemaking process by first submitting to the Secretary of State's Office a Notice of Rulemaking Docket Opening followed by a Notice of Proposed Rulemaking that contains the preamble and the full text of the rules. The Secretary of State's Office publishes each Notice in the next available issue of the *Register* according to the schedule of deadlines for *Register* publication. Under the Administrative Procedure Act (A.R.S. § 41-1001 et seq.), an agency must allow at least 30 days to elapse after the publication of the Notice of Proposed Rulemaking in the *Register* before beginning any proceedings for making, amending, or repealing any rule. (A.R.S. §§ 41-1013 and 41-1022)

NOTICE OF PROPOSED RULEMAKING

TITLE 2. ADMINISTRATION

CHAPTER 2. ARIZONA COMMISSION ON THE ARTS

PREAMBLE

- | | |
|------------------------------------|---------------------------------|
| <u>1. Sections Affected</u> | <u>Rulemaking Action</u> |
| R2-2-101 | Amend |
| R2-2-102 | Amend |
- 2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**
- Authorizing statute: A.R.S. § 41-986
- Implementing statute: A.R.S. § 41-986
- 3. A list of all previous notices appearing in the Register addressing the proposed rule:**
- Notice of Rulemaking Docket Opening: 9 A.A.R. 854, March 1, 2001
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**
- Name: Mollie Lakin-Hayes
- Address: 417 W. Roosevelt St.
Phoenix, AZ 85003
- Telephone: (602) 229-8220
- Fax: (602) 256-0282
- E-mail: mlakinhayes@ArizonaArts.org
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**
- Upon the recommendation of the Office of the Auditor General, the proposed rule amends the distinction between private monies that will be considered match to the Arizona Arts Endowment Fund (known as Arizona ArtShare) and other private monies that will not be considered match, and describes the manner of reporting both non-designated and designated donations to arts endowments.
- 6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:**
- Not applicable
- 7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**
- Not applicable

Arizona Administrative Register
Notices of Proposed Rulemaking

8. The preliminary summary of the economic, small business, and consumer impact:

The proposed amended rule will have minimal or no impact on state agencies, specific public entities (educational institutions, cities and counties), private entities (specifically community foundations), private donors, non-profit arts organizations, small businesses or consumers.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business and consumer impact statement:

Name: Mollie Lakin-Hayes
Address: 417 W. Roosevelt St.
Phoenix, AZ 85003-1326
Telephone: (602) 229-8220
Fax: (602) 256-0282
E-mail: mlakinhayes@ArizonaArts.org

10. The time, place and nature of the proceedings for the adoption, amendment or repeal of the rule or, if no proceeding is scheduled, where, when and how persons may request an oral proceeding on the proposed rule:

A public hearing to receive input and comment is scheduled:

Date: Monday, May 6, 2002
Time: 1:00 p.m.
Location: Arizona Commission on the Arts Conference Room,
417 W. Roosevelt St., Phoenix
Nature: Public hearing for input and comment

The record will close at 5:00 p.m. Friday, May 10, 2002. Written comments may be mailed or delivered by 5:00 p.m., Friday, May 10, 2002 to the person named in item #9. The Commission anticipates submission of the final amended rules package to the Governor's Regulatory Review Council for review and approval at their meeting July 9, 2002.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 2. ADMINISTRATION

CHAPTER 2. ARIZONA COMMISSION ON THE ARTS

**ARTICLE 1. MATCHING PRIVATE MONIES WITH MONIES FROM THE
ARIZONA ARTS ENDOWMENT FUND**

Section

R2-2-101. Definitions

R2-2-102. Matching Private Monies

**ARTICLE 1. MATCHING PRIVATE MONIES WITH MONIES FROM THE
ARIZONA ARTS ENDOWMENT FUND**

R2-2-101. Definitions

In this Article, unless the context otherwise requires:

"Arizona Arts Endowment Fund" ~~means~~ the fund established in A.R.S. § 41-986.

"Arts Organization" ~~means~~ an organization that has applied for and received non-profit status under 501(c)(3) of the U.S. internal revenue code and whose primary mission is to produce, present, or serve the arts.

"Commission" ~~means~~ the Arizona Commission on the Arts.

Arizona Administrative Register
Notices of Proposed Rulemaking

“Donor-advised Fund” ~~means monies donated to a community foundation, over which the donor or others designated by the donor retain the right to advise on grants from the fund.~~

“Field-of-interest Fund” ~~means monies donated to a community foundation, that the donor restricts to grants in a specific charitable field.~~

“Large and Mid-Sized Arts Organizations” ~~means non-profit Arizona arts organizations currently participating in Organization Development Program Level III, Basic Aid or Locals Aid grants programs of the Arizona Commission on the Arts.~~

“Matching Funds” ~~means non-state monies collected which can be considered a match to the Arizona Arts Endowment Fund. These include monies considered “Other Government Endowment for the Arts” and “Private Monies.”~~

Non-designated Funds – Monies donated or appropriated to the Arizona Arts Endowment Fund, or to an endowment fund for which income generated is to be administered by the Commission for arts program in Arizona.

“Other Government Endowment for the Arts” ~~means an endowment of a community college, university, city or county local arts agency.~~

“Private Monies” ~~means revenue from sources other than state tax funds such as cash or securities, irrevocable deferred gifts, lead trusts, real estate, or other items that are convertible to cash. The cash value of an irrevocable deferred gift is its present value.~~

“Programs” ~~means arts activities or presentations which that are promoted to the public.~~

“Tangible Personal Property” ~~means an item under personal ownership that can be touched or felt, such as a car, boat, artwork, and jewelry.~~

R2-2-102. Matching Private Monies

- A. The Commission shall consider private monies to be a match to the Arizona Arts Endowment Fund if the private monies are contributed as follows:
1. The donor enters into a written agreement with an endowment fund to dedicate the monies permanently, and
 2. The donor designates the monies to the Arizona Arts Endowment Fund or to the an endowment fund of a 501(c)(3) arts community organization contracted by the Arizona Commission on the Arts to administer the monies;
 3. ~~The donor designates the monies to the endowment fund of an arts organization, except as provided in subsection (B); or~~
 4. ~~The donor designates the monies to another government endowment fund for the arts that agrees to:~~
 - a. ~~Re-grant monies to arts programs, and~~
 - b. ~~Use none of the monies to support for credit classes.~~
- B. The Commission shall not consider a donation to be a match to the Arizona Arts Endowment Fund ~~if the donation is to an arts organization and:~~
1. ~~Is tangible personal property; or the donor designates the monies to a specific arts organization’s endowment fund, or~~
 2. ~~Is intended for use by the arts organization for its annual operating budget; the donor designates the monies to another government endowment fund for the arts.~~
- C. The Commission shall consider monies in a donor-advised fund or a field-of-interest for the arts fund the same as all other monies donated in compliance with subsection (A).
- D. Funds may be held, accounted for, and named individually.
- E. The Commission may enter into written agreements with one or more 501(c)3 community organizations to collect, invest and manage private monies. The contracted organization shall report, on a quarterly basis, the collection of, investment of, and return on such monies, to the Commission.
- F. The Commission shall ~~require~~ request annual written financial reports from non-profit arts organizations in Arizona receiving monies from the Commission. The reports shall include a statement of the amount of monies received by any endowment for the arts ~~which may be matching funds.~~ The Commission shall annually document and report these gifts to arts endowments to the Legislature in addition to the reporting of non-designated funds.

NOTICE OF PROPOSED RULEMAKING

TITLE 9. HEALTH SERVICES

CHAPTER 5. DEPARTMENT OF HEALTH SERVICES

CHILD CARE FACILITIES

PREAMBLE

<u>1. Sections Affected</u>	<u>Rulemaking Action</u>
Article 1	Amend
R9-5-101	Amend
R9-5-102	New Section
R9-5-201	Amend
R9-5-202	Amend
Table 1	New Table
R9-5-203	Amend
R9-5-204	Repeal
R9-5-204	Renumber
R9-5-204	Amend
R9-5-205	Renumber
R9-5-205	Amend
R9-5-206	Renumber
R9-5-206	Amend
R9-5-207	Renumber
R9-5-207	New Section
R9-5-208	Amend
R9-5-209	Amend
R9-5-509	Amend
Article 7	Amend
R9-5-701	Repeal
R9-5-701	New Section
R9-5-702	Repeal
R9-5-702	New Section
Table 2	New Table
R9-5-703	Repeal
R9-5-703	New Section
R9-5-704	Amend
R9-5-705	Repeal
R9-5-705	New Section
R9-5-706	Repeal
R9-5-706	New Section
R9-5-707	Amend
R9-5-708	New Section
Article 8	Amend
R9-5-801	Amend
R9-5-802	Amend
R9-5-804	Amend
R9-5-806	Amend
R9-5-807	Amend
Article 9	Amend
R9-5-901	Amend
R9-5-903	Amend
R9-5-904	Amend
R9-5-905	Amend
R9-5-906	Amend
R9-5-907	Amend
R9-5-908	Amend

Arizona Administrative Register
Notices of Proposed Rulemaking

R9-5-909	Amend
R9-5-912	Amend
Article 10	Amend
R9-5-1001	Amend
R9-5-1003	Amend

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statutes: A.R.S. §§ 36-136(F), 36-883, 36-883.04, 36-897.01, and 36-897.02

Implementing statutes: A.R.S. §§ 36-882, 36-883, 36-883.02, 36-885, 36-888, 36-897.03, 36-897.05, 36-897.06, and 36-897.08

3. A list of all previous notices appearing in the Register addressing the proposed rule

Notice of Rulemaking Docket Opening, 8 A.A.R. xxxx, April 5, 2002

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: Kathleen Phillips, Rules Administrator

Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Room 102
Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: kphilli@hs.state.az.us

or

Name: Lourdes Ochoa, Health Program Manager III

Address: Arizona Department of Health Services
Division of Assurance and Licensure Services
Office of Child Care Licensure
1647 E. Morten Ave., Suite 230
Phoenix, AZ 85020

Telephone: (602) 674-4220

Fax: (602) 861-0674

E-mail: lochoa@hs.state.az.us

5. An explanation of the rule, including the agency's reasons for initiating the rule:

A. CHILD CARE FACILITIES

1. Background

A.R.S. Title 36, Chapter 7.1, Article 1 provides the Department with statutory authority to license and regulate child care facilities. The rules in 9 A.A.C. 5, Articles 2 through 6 implement those statutes by setting requirements for licensure, facility administration, facility staff, facility programs and equipment, and the physical plant of a facility. Article 2 contains provisions for initial and renewal license applications; time-frames; fingerprinting; child care service classifications; changes affecting licensure; inspections and investigations; and denial, revocation, or suspension of a license. Article 5 contains requirements for facility programs and equipment and includes food preparation and service requirements.

Laws 1998, Chapter 270 amended A.R.S. Title 36, Chapter 7.1, Article 1 by moving the responsibility for fingerprinting checks from the Department to the Department of Public Safety, adding the concept of class one and class two fingerprint clearance cards, changing the deadline for an employee of a child care facility to comply with fingerprinting requirements, and expressly requiring an applicant for licensure to have a class one or class two fingerprint clearance card. (Although Laws 1998, Chapter 270 went into effect on August 16, 1999, § 28 of the session law contains a grandfather clause for individuals who were fingerprinted before July 1, 2000, and who do not change employment, apply for certification or recertification, or enter into a contract that requires fingerprinting. The Department has, consistent with legal advice and with the apparent intention of the legislature that child care workers be fingerprinted

every three years, interpreted this as providing a three-year grace period for child care workers who were fingerprinted before July 1, 2000, and who have not changed employment. Thus, these individuals are not required to be fingerprinted under the current process until August 16, 2002, which is reflected in the rules.)

Laws 1999, Chapter 11 also amended the fingerprinting provisions in A.R.S. Title 36, Chapter 7.1, Article 1 by clarifying the requirements for volunteers in child care facilities and by amending the list of offenses included.

Laws 2000, Chapter 77 amended A.R.S. Title 36, Chapter 7.1, Article 1 by defining “substantial compliance”; incorporating “substantial compliance” into licensing requirements; and amending requirements for posting information, fingerprinting, records inspection, civil penalties, and intermediate sanctions. Laws 2000, Chapter 251, § 10 further amended the fingerprinting requirements of A.R.S. Title 36, Chapter 7.1, Article 1.

Laws 2001, Chapter 152 amended A.R.S. Title 36, Chapter 7.1, Article 1 by defining “controlling person”, amending application requirements for child care facility licensure, amending eligibility requirements for child care facility licensure, requiring an applicant or licensee to provide the Department with written notice when a controlling person changes, and requiring an applicant or licensee to designate an agent to receive communications from the Department. Laws 2001, Chapter 350 amended A.R.S. § 36-883.02 by removing an exception for individuals fingerprinted under A.R.S. §§ 15-512 and 15-534. Laws 2001, Chapter 350 also added a requirement that child care personnel certify that they have not been denied or had revoked a license to operate a child care facility or a certificate to operate a child care group home in Arizona or another state and have not been denied or had revoked certification to work in a child care facility or child care group home. Finally, Laws 2001, Chapter 350 clarified that a child care facility may not allow an individual to be employed or volunteer in a child care facility if the individual has been denied a class two fingerprint clearance card or has not received an interim approval from the Board of Fingerprinting.

In addition, on October 3, 2001, the new rules for food establishments, contained in 9 A.A.C. 8, Article 1, took effect. These rules completely replace the previous rules for food establishments, including those within child care facilities.

2. This Rulemaking

The rules for 9 A.A.C. 5, Article 2 include the rule changes necessary to ensure consistency with the statutory changes in Laws 1998, Chapter 270; Laws 1999, Chapter 11; Laws 2000, Chapters 77 and 251; and Laws 2001, Chapters 152 and Chapter 350. This rulemaking also makes the rules consistent with the new rules for food establishments in 9 A.A.C. 8, Article 1.

The rules also increase the time-frames for child care facility licensure. The Department has tracked the child care facility licensure process since adopting time-frames in October 1997 and has determined that the substantive review time-frames for initial and renewal license applications are inadequate. In October 1997, there were only 1,671 licensed child care facilities in Arizona. Currently, there are more than 2,063 licensed child care facilities and several hundred applications pending. The Department has found that the time needed to complete a substantive review has been affected by increases in licensed capacity, a broader spectrum of services offered, location (more and more child care facilities are located in outlying areas of the state), and creative uses of physical plants for child care facilities. As the child care industry has evolved and expanded to meet the needs of the state’s increasing population, industry needs and facility inspections have become more and more complex. Department resources have not increased in response to the increase in child care facilities licensed or the increase in the complexity of the child care industry (Although the Department received legislative authorization to hire additional surveyors for the Office of Child Care Licensure, the current state of the budget has made it impossible for the Department to fill those positions, which are now on hold. In addition, vacancies are no longer being filled.). Thus, the Department is proposing to increase the substantive review time-frames for initial and renewal applications to better reflect the time needed to complete processing. (In the past four years, the Office of Child Care Licensure has been out of compliance with its time-frames 19 times.)

As a result of the tracking process, the Department has also determined that it initially underestimated the length of time necessary to complete an administrative completeness review of and process a renewal application. Thus, the Department is also proposing to increase the administrative completeness review time-frame for renewal applications to 30 days to make it consistent with the administrative completeness review time-frame for an initial license.

In addition, the Department has determined that it needs time-frames for approval of changes affecting a license. In 1997, the Department did not consider this approval to be a “license” as defined in the Administrative Procedure Act. However, the Department has determined that this approval is indeed a “license.” Thus, this rulemaking adds time-frames for this approval process.

Arizona Administrative Register
Notices of Proposed Rulemaking

This rulemaking also adds a requirement that a facility licensee notify the Department in writing before it changes a facility director. Because this is not an approval process, it does not require time-frames. The Department has been requesting this notification for some time, and this rulemaking adds this requirement formally in a new Section.

This rulemaking also amends the definitions that relate to child care facilities to bring them up to date and to make them consistent with the changes in the rules. In addition, the rulemaking adds a new Section at R9-5-102 to clarify which individuals are responsible to act for an applicant or licensee in completing and signing documents, complying with fingerprinting requirements, and complying with Department-provided training requirements. In Article 5, this rulemaking amends R9-5-509 to make it consistent with the new rules for food establishments, which are contained in 9 A.A.C. 8, Article 1. Finally, this rulemaking amends the language of the rules to reflect current Department practices; to make the rules clear, concise, and understandable; and to bring the rules into conformance with current rule-making format and style requirements.

B. CHILD CARE GROUP HOMES

1. Background

A.R.S. Title 36, Chapter 7.1, Article 4 provides the Department with statutory authority to certify and regulate child care group homes. The rules in 9 A.A.C. 5, Articles 7 through 10 implement those statutes by setting requirements for child care group home certification, administration, staff qualifications, programs and equipment, and physical facility standards. Currently, there are 295 certified child care group homes and 100 applications for certification pending.

Article 7 contains provisions for initial and renewal certification applications; fingerprinting; changes affecting certification; inspections and investigations; and denial, revocation, or suspension of certification. Article 7 currently lacks time-frames. When the rules were adopted in 1990, there was not yet a requirement to have time-frames, and these rules have not been amended since their adoption.

Laws 1998, Chapter 270 amended A.R.S. Title 36, Chapter 7.1, Article 4 by moving the responsibility for fingerprint checks from the Department to the Department of Public Safety, adding the concept of class one and class two fingerprint clearance cards, changing the deadline by which an employee of a child care group home is required to comply with fingerprinting requirements, and expressly requiring an applicant for child care group home certification to have a class one or class two fingerprint clearance card. (Although Laws 1998, Chapter 270 went into effect on August 16, 1999, § 28 of the session law contains a grandfather clause for individuals who were fingerprinted before July 1, 2000, and who do not change employment, apply for certification or recertification, or enter into a contract that requires fingerprinting. The Department has, consistent with legal advice and with the apparent intention of the legislature that child care workers be fingerprinted every three years, interpreted this as providing a three-year grace period for child care workers who were fingerprinted before July 1, 2000, and who have not changed employment. Thus, these individuals are not required to be fingerprinted under the current process until August 16, 2002, which is reflected in the rules.)

Laws 1999, Chapter 11 also amended the fingerprinting provisions in A.R.S. Title 36, Chapter 7.1, Article 4 by clarifying the responsibilities of volunteers and adding to the list of criminal offenses.

Laws 2000, Chapter 77 amended A.R.S. Title 36, Chapter 7.1, Article 4 by defining “substantial compliance”; incorporating “substantial compliance” into certification requirements; adding injunction authority; and amending requirements for fingerprinting, records inspection, civil penalties, and intermediate sanctions. Laws 2000, Chapter 251, §§ 11 and 12 further amended the fingerprinting requirements of A.R.S. Title 36, Chapter 7.1, Article 4.

2. This Rulemaking

The rules for 9 A.A.C. 5, Article 7 include the rule changes necessary to ensure consistency with the statutory changes in Laws 1998, Chapter 270; Laws 1999, Chapter 11; and Laws 2000, Chapters 77 and 251.

The rules also establish time-frames for initial and renewal applications for child care group home certification and for approval of changes affecting certification.

This rulemaking also adds a requirement that a certificate holder notify the Department in writing before it changes a provider. Because this is not an approval process, it does not require time-frames. The Department has been requesting this notification for some time, and this rulemaking adds this requirement formally in a new Section.

This rulemaking also amends the definitions that relate to child care group homes to bring them up to date and to make them consistent with the changes in the rules. In addition, the rulemaking adds a new Section at R9-5-102 to clarify which individuals are responsible to act for an applicant or certificate holder in completing and signing documents, complying with fingerprinting requirements, and complying with Department-provided training requirements.

Arizona Administrative Register
Notices of Proposed Rulemaking

Finally, this rulemaking amends the language of the rules in Article 7 to reflect current Department practices; to make the rules clear, concise, and understandable; and to bring the rules into conformance with current rulemaking format and style requirements.

In Articles 8, 9, and 10, this rulemaking changes the term “day care group home” to “child care group home” to be consistent with statutory language. In addition, in R9-5-801, this rulemaking replaces a reference to R9-5-701(B)(11) with the substantive requirement that the referenced subsection contained before this rulemaking.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study, and other supporting material:

Not applicable

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

The Department will incur moderate to substantial costs from this rulemaking. The Department will incur moderate-to-substantial costs from implementing the new time-frames for approval of a change affecting a facility license and will incur moderate costs from implementing the new time-frames for child care group homes. In addition, the Department will incur minimal to moderate costs from implementing the new time-frames for approval of a change affecting a child care group home certificate and will incur moderate costs from the rulemaking process itself.

The rules will minimally burden a small portion of the regulated community—only those licensees who change the locations of their facilities—because the rules eliminate a provision exempting these people from attending the four-hour Department-provided training required to get a new license. The Department has for some time encouraged these people to attend the training, because this type of refresher training seems to assist licensees in maintaining compliance with the rules.

Otherwise, this rulemaking benefits the public and the regulated community. Making the rules consistent with statutory requirements will minimally benefit the public and the regulated community by alleviating any confusion that exists because of the inconsistencies between the requirements in statute and in rule. This will also minimally benefit the Department, because the Department will receive fewer inquiries regarding the inconsistencies between statute and rule. In addition, amending the administrative completeness review and substantive review time-frames for the licensure of child care facilities will provide the public and the regulated community with a more accurate assessment of the length of time necessary for completing the licensure process. Establishing time-frames for the certification of child care group homes, for approval of a change affecting a license, and for approval of a change affecting a certificate will benefit the public and the regulated community by notifying the public and the regulated community of the length of time necessary to obtain these approvals. Amending the rules for licensure and certification to reflect current Department practices will also minimally benefit the public and the regulated community by clarifying the responsibilities of an applicant, licensee, or certificate holder. This clarification will also benefit the Department, because there will be less confusion surrounding these responsibilities and thus fewer inquiries to the Department regarding these responsibilities.

Updating the definitions in 9 A.A.C. 5 will also minimally benefit the public and the regulated community by alleviating any confusion caused by those definitions that are out of date. Updating the definitions will also minimally benefit the Department, because the Department will no longer receive inquiries regarding the meanings of the terms for which the definitions are out of date. In addition, adding a new Section at R9-5-102 to clarify which individuals are responsible to act for an applicant, licensee, or certificate holder in completing and signing documents, complying with fingerprinting requirements, and complying with Department-provided training requirements will minimally benefit the public and the regulated community by alleviating confusion that exists in this area and will minimally benefit the Department because the Department will no longer receive inquiries in this area.

Because the changes made in response to Laws 1998, Chapter 270; Laws 1999, Chapter 11; Laws 2000, Chapters 77 and 251; and Laws 2001, Chapters 152 and 350 are required by statute, economic impacts resulting from these changes do not result from this rulemaking and are not included within this summary. Likewise, the changes in R9-5-509 necessitated by the revision of 9 A.A.C. 8, Article 1 are not included in this summary because they derive from the revision of 9 A.A.C. 8, Article 1, not from this rulemaking.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Name: Kathleen Phillips, Rules Administrator

Arizona Administrative Register
Notices of Proposed Rulemaking

Address: Arizona Department of Health Services
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or

Name: Lourdes Ochoa, Health Program Manager III

Address: Arizona Department of Health Services
Division of Assurance and Licensure Services
Office of Child Care Licensure
1647 E. Morten Ave., Suite 230
Phoenix, AZ 85020

Telephone: (602) 674-4220

Fax: (602) 861-0674

E-mail: lochoa@hs.state.az.us

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

The Department has not scheduled an oral proceeding on the proposed rules. However, a person may request an oral proceeding by submitting a written request to the agency personnel listed in item #4 above before 5:00 p.m. on May 6, 2002. In addition, a person may submit written comments on the proposed rules to the agency personnel listed in item #4 above before the close of record at 5:00 p.m. on May 6, 2002.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their locations in the rules:

Not applicable

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

CHAPTER 5. DEPARTMENT OF HEALTH SERVICES

CHILD CARE FACILITIES

ARTICLE 1. DEFINITIONS GENERAL

Section

R9-5-101. Definitions

R9-5-102. Individuals to Act for Applicant, Licensee, or Certificate Holder Regarding Document, Fingerprinting, and Department-Provided Training Requirements

ARTICLE 2. FACILITY LICENSURE

Section

R9-5-201. Application for a License

R9-5-202. ~~Initial License Application~~ Time-frames

Table 1. Time-frames (in days)

R9-5-203. ~~Registration and~~ Fingerprinting Requirements

~~R9-5-204. Revocation, Denial, or Reconsideration of Registration~~

~~R9-5-205-R9-5-204.~~ Child Care Services Service Classifications

~~R9-5-206-R9-5-205.~~ License Renewal

Arizona Administrative Register
Notices of Proposed Rulemaking

~~R9-5-207.~~ R9-5-206. Changes Affecting a License
R9-5-207. Change in Director
R9-5-208. Inspections; Investigations
R9-5-209. Denial, Revocation, or Suspension of License

ARTICLE 5. FACILITY PROGRAM AND EQUIPMENT

Section
R9-5-509. General Food Service and Food Handling Standards

ARTICLE 7. CHILD CARE GROUP HOME CERTIFICATION ~~OF DAY CARE GROUP HOME~~

Section
R9-5-701. ~~Initial certification~~ Application for a Certificate
R9-5-702. ~~Certificate to operate a child care group home~~ Time-frames
 Table 2. Time-frames (in days)
R9-5-703. ~~Denial of Certification~~ Fingerprinting Requirements
R9-5-704. ~~Certificate Renewal of Certification~~
R9-5-705. ~~Suspension or revocation of certification~~ Changes Affecting a Certificate
R9-5-706. ~~Notice of changes~~ Change in Provider
R9-5-707. ~~Complaints; investigations~~ Inspections; Investigations
R9-5-708. ~~Denial, Revocation, or Suspension of Certificate~~

ARTICLE 8. ~~DAY~~ CHILD CARE GROUP HOME ADMINISTRATION

Section
R9-5-801. Provider standards and responsibilities
R9-5-802. Personnel standards and responsibilities
R9-5-804. Inspection reports
R9-5-806. Children's records and reports
R9-5-807. Attendance records; admission and release of children

ARTICLE 9. PROGRAM AND EQUIPMENT FOR ~~DAY~~ CHILD CARE GROUP HOMES

Section
R9-5-901. General program and equipment standards
R9-5-903. Supplemental equipment standards for school-age children
R9-5-904. Supplemental program and equipment standards for special needs children
R9-5-905. Supplemental program and equipment standards for night care
R9-5-906. Illness and infestation
R9-5-907. Emergency medical care
R9-5-908. Medications
R9-5-909. Discipline and guidance
R9-5-912. Transportation of children and field trips

ARTICLE 10. ACTIVITY AREAS AND PHYSICAL FACILITY STANDARDS FOR ~~DAY~~ CHILD CARE GROUP HOMES

Section
R9-5-1001. ~~Day~~ Child care group home activity areas
R9-5-1003. Fire and safety

ARTICLE 1. DEFINITIONS

R9-5-101. Definitions

In this Chapter, unless otherwise specified the following terms mean:

1. "Abuse" ~~means the infliction or allowing of physical injury, impairment of bodily function or disfigurement, or the infliction of or allowing another individual to cause serious emotional damage as evidenced by severe anxiety, depression, withdrawal or untoward aggressive behavior, and which emotional damage is diagnosed by a medical doctor or psychologist as prescribed by A.R.S. § 8-223 and which is caused by the acts or omissions of an individual having care, custody, and control of a child. Abuse includes the offenses stated in A.R.S. § 8-546(A)(2); has the same meaning as in A.R.S. § 8-201.~~
2. "Accident" means an unexpected occurrence ~~that may or may not be an emergency that;~~
 - a. ~~causes~~ Causes physical injury to a child,

Arizona Administrative Register
Notices of Proposed Rulemaking

- ~~b. and requires~~ Requires attention ~~by~~ from a staff member, and
 - ~~c. May or may not be an~~ emergency.
- ~~3.~~ "Accommodation school" has the same meaning as in A.R.S. § 15-101.
- ~~3-4.~~ "Accredited" means approved by the:
 - a. New England Association of Schools and Colleges,
 - b. Middle States Association of Colleges and Secondary Schools,
 - c. North Central Association of Colleges and Schools,
 - d. Northwest Association of Schools and Colleges,
 - e. Southern Association of Colleges and Schools, or
 - f. Western Association of Schools and Colleges.
- ~~4-5.~~ "Activity" means an action planned by a licensee, certificate holder, or provider and performed by a child while supervised by a staff member.
- ~~5-6.~~ "Activity area" means a specific indoor or outdoor space or room of a licensed facility or certified child care group home that is designated by a licensee or certificate holder for use by enrolled children for activities.
- ~~6-7.~~ "Adaptive device" means equipment used to augment an individual's use of the individual's arms, legs, sight, hearing, or other physical part or function.
- ~~8.~~ "Adult" means an individual who is at least 18 years of age.
- ~~7-9.~~ "Age-appropriate" means consistent with a child's age and age-related stage of physical growth and mental development.
- ~~10.~~ "Agency" means any board, commission, department, office, or other administrative unit of the federal government, the state, or a political subdivision of the state.
- ~~8-11.~~ "Applicant" means an individual or business organization requesting one of the following:
 - a. ~~The following persons requesting an~~ An initial or renewal license:
 - i. ~~If an individual, the individual owning the facility;~~
 - ii. ~~If a corporation, any 2 officers of the corporation;~~
 - iii. ~~If an association or cooperative, any 2 members of the governing board of the association or cooperative;~~
 - iv. ~~If a limited liability company, the designated manager, or, if no manager is designated, any 2 members of the limited liability company;~~
 - v. ~~If a partnership, any 2 of the partners;~~
 - vi. ~~If a joint venture, any 2 individuals signing the joint venture agreement;~~
 - vii. ~~If a public school, any individual designated in writing as signatory for the facility by the school governing board or school district superintendent;~~
 - viii. ~~If a charter school, the person approved to operate a charter school in Arizona by the Arizona Board of Education, Arizona Board of Charter Schools, or a school governing board; or~~
 - ix. ~~If a governmental agency, the director of the governmental agency or the individual designated in writing by the director; or~~
 - b. An initial or renewal certificate.
 - ~~b.c.~~ A licensee submitting a request for a modification to the physical plant of a licensed facility Approval of a change affecting a license under R9-5-206; or
 - d. Approval of a change affecting a certificate under R9-5-705.
- ~~9-12.~~ "Application" means the documents required by that an applicant is required to submit to the Department for licensure, or registration certification, or approval of a request for a change affecting a license or a certificate.
- ~~10-13.~~ "Assistant teacher-caregiver" means a staff member who, for compensation, aids a teacher-caregiver in planning, developing, or conducting child care activities.
- ~~11-14.~~ "Association or cooperative" means a group of individuals other than a corporation, limited liability company, partnership, joint venture, or public school who have established a governing board and bylaws to operate a facility or a child care group home.
- ~~15.~~ "Beverage" means a liquid for drinking, including water.
- ~~16.~~ "Business organization" means an entity such as an unincorporated association, a corporation, a limited liability company, a partnership, or a governmental entity.
- ~~12-17.~~ "Calendar week" means a 7-day seven-day period beginning on Sunday at 12:00 a.m. and ending on Saturday at 11:59 p.m.
- ~~13-18.~~ "C.C.P." means Certified Childcare Professional, a credential awarded by the National Child Care Association to individuals an individual who has successfully completing completed a test of ability to work effectively with children.
- ~~14-19.~~ "C.D.A." means Child Development Associate, a credential awarded by the Child Development Associate National Credentialing Credentialing Program to individuals an individual who has successfully completing completed a test of ability to work effectively with children.

Arizona Administrative Register
Notices of Proposed Rulemaking

20. "Certificate" means the written authorization issued by the Department to operate a child care group home in Arizona.
21. "Certificate holder" means a person to whom the Department has issued a certificate to operate a child care group home in Arizona.
22. "Certified capacity" means the maximum number of children for whom a certificate holder is authorized by the Department to provide child care services at a child care group home at any given time.
- ~~15-23.~~ "Change in ownership" means a transfer of controlling legal or controlling equitable interest and authority in a facility or child care group home resulting from a sale or merger of a facility or child care group home.
24. "Charter school" has the same meaning as in A.R.S. § 15-101.
- ~~16-25.~~ "Child" has means:
- a. For a child care facility, the same meaning as in A.R.S. § 36-881(1) 36-881; and
 - b. For a child care group home, any individual under the age of 13.
- ~~17-26.~~ "Child care" has the same meaning as in A.R.S. § 36-881(2) 36-881.
- ~~18-27.~~ "Child care experience" means written documentation of documented work with children in:
- a. A child care facility or a child care group home that is licensed, certified, or approved by a state in the United States or by one of the Uniformed Services of the United States;
 - b. A public school, a charter school, or a private school, or an accommodation school as defined in A.R.S. § 15-401(4); or
 - c. A public or private educational institution authorized under the laws of another state where instruction was provided for any grade or combination of grades between early kindergarten and grade 12; or
 - e.d. The One of the following professional fields:
 - i. ~~of nursing~~ Nursing,
 - ii. ~~social~~ Social work,
 - iii. ~~psychology~~ Psychology,
 - iv. ~~child~~ Child development, or
 - v. A closely related field.
28. "Child care group home" has the same meaning as in A.R.S. § 36-897.
- ~~19-29.~~ "Child care services" means the range of activities and programs provided by a licensee or certificate holder to a child, including personal care, supervision, education, guidance, and transportation.
- ~~20-30.~~ "Child Protective Services" means the Child Protective Services Program; of the Arizona Department of Economic Security.
- ~~21-31.~~ "Child with special needs" means a child with:
- a. A child with a health care provider's diagnosis and record of a physical or mental condition that substantially limits the child in providing self-care or performing age-appropriate manual tasks or any other major life function such as walking, seeing, hearing, speaking, breathing, or learning;
 - b. A child with a "developmental disability" as defined in A.R.S. § 36-551; or
 - c. At least 1 of the developmental disabilities listed in A.R.S. § 15-761 and who requires special education A "child with a disability" as defined in A.R.S. § 15-761.
- ~~22-32.~~ "Clean" means to remove dirt or debris by such methods as washing with soap and water, vacuuming, wiping, dusting, or sweeping.
- ~~23-33.~~ "Closely related field" means any educational instruction or occupational experience pertaining to the growth, development, physical or mental care, or education of children.
- ~~24-34.~~ "Communicable disease" has the same meaning as in A.A.C. ~~R9-6-101(5)~~ R9-6-101.
- ~~25-35.~~ "Compensation" means money or other consideration, including goods, services, vouchers, time, or other another benefit, that is received by a licensee or certificate holder from any individual as payment for child care services or that is paid to received by a staff member by from a licensee or certificate holder as payment for working in a child care facility or child care group home.
36. "Controlling person" means a person who:
- a. Has through ownership, the power to vote at least ten per cent of the outstanding voting securities.
 - b. If the applicant or licensee is a partnership, is the general partner or a limited partner who holds at least ten per cent of the voting rights of the partnership.
 - c. If the applicant or licensee is a corporation, an association or a limited liability company, is the president, the chief executive officer, the incorporator, an agent or any person who owns or controls at least ten per cent of the voting securities.
 - d. Holds a beneficial interest in ten per cent or more of the liabilities of the applicant or the licensee.
- ~~26-37.~~ "Corporal punishment" means any physical action that inflicts pain to the body of a child, including but not limited to: shaking, spanking, punching, hitting, pinching, biting, pushing, slapping, twisting, jerking, kicking, pulling hair, or strangling a child; or any act which that may result in an abrasion, bruise, welt, contusion, laceration, burn, wound,

Arizona Administrative Register
Notices of Proposed Rulemaking

- cut, puncture, internal injury, fracture, sprain or dislocation, or a subdural hemorrhage or hematoma injury to the body of a child.
- 27.38. "C.P.C." means Certified Professional in Childcare, a credential awarded by the National Early Care and Education Association to ~~individuals~~ an individual who has successfully completing completed a test of ability to work effectively with children.
- 28.39. "CPR" means cardiopulmonary resuscitation.
- 29.40. "Credit hour" means an ~~earned~~ academic unit ~~of study based on~~ earned at an accredited college or university by attending a 1-hour one-hour class session per each calendar week at an accredited college or university during a semester or completing equivalent practical work as part of a course during a semester.
- 30.41. "Days" means calendar days, not including the day of the act, event, or default from which a designated period of time begins to run, but including the last day of the period unless it is a Saturday, Sunday, or legal holiday, in which case the period runs until the end of the next day that is not a Saturday, Sunday, or legal holiday.
42. "Designated agent" means an individual who is:
- a. A controlling person;
 - b. A United States citizen or legal resident alien;
 - c. A resident of Arizona; and
 - d. Authorized by an applicant or licensee to receive communications, including service of process, from the Department and to file and sign documents for the applicant or licensee.
- 34.43. "Developmentally appropriate" means consistent with a child's physical, emotional, social, cultural, and cognitive development, based on the child's age and family background and the ~~individual~~ child's personality, learning style, and pattern and timing of growth, personality, and learning style.
- 32.44. "Discipline" means to ~~provide correction of~~ correct a child's behavior that does not meet generally accepted levels of social behavior.
- 33.45. "Emergency" means a potentially life-threatening occurrence involving a child or staff member that requires an immediate response or medical treatment.
- 34.46. "Endanger" means to expose ~~a child~~ to a situation where physical or mental injury ~~to the child~~ may occur.
- 35.47. "Enrolled" means ~~a child has been~~ placed by a parent and accepted by a licensee or certificate holder for child care services.
48. "Evening and nighttime care" means child care services provided between the hours of 8:00 p.m. and 5:00 a.m.
- 36.49. "Facility" means "child care facility" as defined in A.R.S. § 36-881(3) 36-881.
- 37.50. "Facility director" means an individual meeting the qualifications in R9-5-401(1) who is designated by a licensee as the individual responsible for the daily onsite operation of a facility.
- 38.51. "Facility premises" means property that is:
- a. Designated on an application for a license or certificate by the applicant, and
 - b. Licensed or certified for child care services by the Department under A.R.S. § 36-881 et seq. Title 36, Chapter 7.1, Article 1 or 4 and these rules.
- 39.52. "Field trip" means an activity planned by ~~child care personnel~~ a staff member for:
- a. Preschool children off facility premises, or
 - b. School-age children off facility premises or school campus.
- 40.53. "Final construction drawings" means facility plans ~~approved by local government for the construction or modification of a facility~~ that include the architectural, structural, mechanical, electrical, fire protection, plumbing, and technical specifications of the physical plant and the facility premises and that have been approved by local government for the construction or modification of a facility.
54. "Food" means a raw, cooked, or processed edible substance, ice, beverage, or ingredient used or intended for use or for sale in whole or in part for human consumption or chewing gum.
- 41.55. "Food preparation" or "preparing food" means ~~handling, washing, cutting, mixing, spreading, combining ingredients, and cooking foods using a utensil as defined in A.A.C. R9-8-112(35) but does not include:~~
- a. ~~Using single service articles as defined in A.A.C. R9-8-112(30);~~
 - b. ~~Handling or distributing whole fruits or vegetables;~~
 - c. ~~Distributing prepackaged foods, or~~
 - d. ~~Combining whole uncooked foods~~ processing food for human consumption by cooking or assembling the food, but does not include distributing prepackaged food or whole fruits or vegetables.
56. "Full-day care" means child care services provided for six or more hours per day between the hours of 5:00 a.m. and 8:00 p.m.
- 42.57. "Guidance" means the ongoing direction, counseling, teaching, or modeling of generally accepted social behavior through which a child learns to develop and maintain the self-control, self-reliance, and self-esteem necessary to assume responsibilities, make daily living decisions, and live according to generally accepted social behavior.
- 43.58. "Hazard" means a source of endangerment.

Arizona Administrative Register
Notices of Proposed Rulemaking

- 44-59. "Health care provider" means a state board licensed, registered, or certified physician; ~~physician's~~ physician assistant; nurse; ~~registered~~ nurse practitioner; psychologist; or occupational, physical, or respiratory therapist.
- 45-60. "High school equivalency diploma" means:
- a. ~~the~~ A document issued by the Arizona Department of Education under A.R.S. § 15-702 ~~or by another state~~, to an individual who passes a general educational development test ~~or meets the requirements of A.R.S. § 15-702(B)~~;
 - b. A document issued by another state to an individual who passes a general educational development test or meets the requirements of a state statute equivalent to A.R.S. § 15-702(B); or
 - c. A document issued by another country to an individual who has completed that country's equivalent to a 12th grade education, as determined by the Department based upon information obtained from American or foreign consulates or embassies or other governmental entities.
- 46-61. "Hours of operation" means the specific time during a day for which a licensee or certificate holder is licensed or certified to provide child care services.
- 47-62. "Illness" means physical manifestation or signs of ~~any~~ sickness, ~~or communicable disease~~ such as pain, vomiting, rash, fever, discharge, or diarrhea.
- 48-63. "Infant" means:
- a. ~~a~~ A child 12 months of age or younger, or
 - b. ~~a~~ A child 18 months of age or younger who is not yet walking.
64. "Infant care" means child care services provided to an infant.
- 49-65. "Infestation" means the presence of lice, pinworms, scabies, or other parasites.
- 50-66. "Inspection" means:
- a. ~~on-site~~ Onsite examination of a facility by the Department to determine compliance with A.R.S. § ~~36-881 et seq.~~ Title 36, Chapter 7.1, Article 1 and these rules;
 - b. Onsite examination of a child care group home by the Department to determine compliance with A.R.S. Title 36, Chapter 7.1, Article 4 and these rules;
 - c. ~~an on-site~~ Onsite review of facility or child care group home records or reports by the Department; or
 - d. ~~on-site~~ Onsite examination of a facility or a child care group home by a local jurisdiction's governmental entity.
- 51-67. "Lesson plan" means a written description of the activities scheduled in each activity area for a day.
- 52-68. "License" means the written authorization issued by the Department to operate a facility in Arizona.
- 53-69. "Licensed capacity" means the maximum number of children for whom a licensee is ~~licensed~~ authorized by the Department to provide child care services in a facility or a part of a facility at any given time.
- 54-70. "Licensee" means a person, as defined by A.R.S. § ~~36-881(6)~~ 36-881, to whom the Department ~~issues~~ has issued a license to operate a facility in Arizona.
- 55-71. "Local" means under the jurisdiction of a city or county in Arizona.
- 56-72. "Mat" means a foam pad that has a waterproof cover and is of sufficient size and thickness to accommodate the height, width, and weight of a reclining child's body.
- 57-73. "Medication" means a substance prescribed by a physician, physician assistant, or registered nurse practitioner or available ~~over the counter~~ without a prescription for the treatment or prevention of illness or infestation.
- 58-74. "Menu" means:
- a. ~~a~~ A written description of ~~the food provided by that~~ a facility or child care group home provides and ~~served~~ serves as a meal or snack, or
 - b. The combination of food that a facility or child care group home provides and serves as a meal or snack.
- 59-75. "Modification" means an alteration or addition to the physical plant of a licensed facility that ~~requires~~ may or may not require a permit issued by local government.
- 60-76. "Motor vehicle" has the same meaning as ~~defined~~ in A.R.S. § ~~28-101(28)~~ 28-101.
- 61-77. "N.A.C." means the National Administrator Credential, ~~an award~~ a credential issued by the National Child Care Association to an individual who has successfully completing completed a test of ability to work effectively with children as a director of a child care facility.
- 62-78. "Naptime" means any time during hours of operation, other than evening and nighttime hours ~~specified in R9-5-205~~, that is designated by a licensee for the rest or sleep of children.
- 63-79. "Neglect" has the same meaning as in A.R.S. § ~~8-546(A)(7)~~ 8-201.
80. "Nurse" means an individual who is:
- a. Licensed under A.R.S. Title 32, Chapter 15 as a practical nurse or as a registered, graduate, or professional nurse; or
 - b. Licensed as a practical nurse or a registered nurse under the law of another state.
- 64-81. "One-year-old" means a child who is at least 12 months of age ~~or older who is~~ but not yet ~~2~~ two years of age.
82. "One-year-old child care" means child care services provided to a one-year old.
- 65-83. "Parent" means:
- a. ~~a~~ A natural, ~~or adoptive, or custodial~~ mother or father ~~of a child, or an~~
 - b. A individual who has been appointed as a legal guardian appointed by a court of competent jurisdiction, or

Arizona Administrative Register
Notices of Proposed Rulemaking

- c. A “custodian” of a child by a court of competent jurisdiction as defined in A.R.S. § 8-201.
84. “Part-day care” means child care services provided for fewer than six hours per day between the hours of 5:00 a.m. and 8:00 p.m.
- ~~66-85.~~ “Perishable food” means food which ~~that~~ becomes unfit for human consumption if not stored to prevent spoilage.
86. “Person” means:
- a. In Articles 2 through 6, the same as in A.R.S. § 36-881; and
 - b. In Articles 7 through 10, an individual or a business organization.
87. “Personal reference” means an adult who is familiar with a director’s, a provider’s, or a staff member’s character due to observations made as a friend or acquaintance.
- ~~67-88.~~ “Physical plant” means a building that houses a facility ~~or a child care group home~~, or licensed ~~or certified~~ areas within a building ~~that houses a facility or a child care group home~~, including the architectural, structural, mechanical, electrical, plumbing, and fire protection elements of the building.
- ~~68-89.~~ “Physician” means ~~an individual licensed as a doctor currently licensed to practice of:~~
- a. ~~allopathic~~ Allopathic medicine under A.R.S. Title 32, Chapter 13;
 - b. Naturopathic medicine under A.R.S. Title 32, Chapter 14;
 - c. ~~or osteopathic~~ Osteopathic medicine under A.R.S. Title 32, Chapter 17;
 - d. Homeopathic medicine under A.R.S. Title 32, Chapter 29; or
 - e. ~~in any~~ Allopathic, naturopathic, osteopathic, or homeopathic medicine under the law of another state of the United States.
90. “Physician assistant” means:
- a. An individual who is licensed under A.R.S. Title 32, Chapter 25 and who performs health care tasks pursuant to a dependent relationship with a physician; or
 - b. An individual who is licensed as a physician assistant under the law of another state.
91. “Preparing food” means processing food for human consumption by cooking or assembling the food, but does not include distributing prepackaged food or whole fruits or vegetables.
- ~~69-92.~~ “Private pool” has the same meaning as in 9 A.A.C. ~~R9-8-811(J)~~ 8, Article 8.
- ~~70-93.~~ “Private school” has the same meaning as in A.R.S. § ~~15-101(16)~~ 15-101.
94. “Professional reference” means an adult who is familiar with a director’s, a provider’s, or a staff member’s work abilities due to observations made as a supervisor or leader in a business, school, church, or other organizational setting.
- ~~71-95.~~ “Program” means a variety of activities organized and conducted by a staff member.
96. “Provider” means the certificate holder or a person the certificate holder designates in writing who, pursuant to applicable statutes and rules, is to be responsible for direct daily supervision, operation and maintenance of the child care group home.
- ~~72-97.~~ “Public pool” has the same meaning as in 9 A.A.C. ~~R9-8-811(K)~~ 8, Article 8.
- ~~73-98.~~ “Public school” means ~~school as defined in A.R.S. § 15-101(3) and (17)~~ a government-operated educational institution established for the purpose of offering instruction to pupils in programs for preschool children with disabilities, kindergarten programs, or any combination of grades one through twelve.
74. “Registration” means approval by the Department to operate or work in a child care facility after an individual’s completion of the fingerprinting process required by the Department.
99. “Registered nurse practitioner” means:
- a. An individual who:
 - i. Is licensed as a registered, graduate, or professional nurse under A.R.S. Title 32, Chapter 15;
 - ii. Is certified by the Arizona State Board of Nursing through its rules for extended nursing practice; and
 - iii. Has completed a nurse practitioner education program approved or recognized by the Arizona State Board of Nursing; or
 - b. An individual who is licensed as a registered nurse practitioner under the law of another state.
- ~~75-100.~~ “Regular basis” means ~~child care services are offered at a facility~~ at recurring, fixed, or uniform intervals.
- ~~76-101.~~ “Resident” means:
- a. In reference to residency in a child care facility or child care group home, an individual who does not ~~provide work in the child care facility or child care group home~~, but who ~~is present in a~~ uses the child care facility or child care group home as the individual’s principal place of habitation for 30 days or more during the calendar year; and
 - b. In reference to residency in Arizona, the same as in A.R.S. § ~~43-104~~ for more than 30 consecutive days.
- ~~77-102.~~ “Sanitize” means to use heat, chemical agents, or germicidal solutions to disinfect and reduce pathogen counts, including bacteria, viruses, mold, and fungi.
- ~~78-103.~~ “School-age child” means a child who:
- a. ~~is 5 years of age or older before beginning~~ Attends kindergarten or a higher level program in a public, charter, accommodation, or private school during the current school year;

Arizona Administrative Register
Notices of Proposed Rulemaking

- b. ~~in a~~ Attended kindergarten or a higher level program in a public, charter, accommodation, or private school during the most recent school year;
- c. Is home schooled at a kindergarten or higher level during the current school year; or
- d. Was home schooled at a kindergarten or higher level during the most recent school year.
104. "School-age child care" means child care services provided to a school-age child.
- 79-105. "School campus" means the contiguous grounds of a public, charter, accommodation, or private school, including the buildings, structures, and outdoor areas available for use by children attending the school.
- 80-106. "School governing board" means has the same meaning as "governing board" as defined in A.R.S. § 15-101(8) 15-101.
- 84-107. "Semi-public pool" has the same meaning as in 9 A.A.C. ~~R9-8-811(N)~~ 8, Article 8.
- 82-108. "Service classification" means ~~1~~ one of the classifications specified in R9-5-205 following:
- a. Full-day care.
- b. Part-day care.
- c. Evening and nighttime care.
- d. Infant care.
- e. One-year-old child care, or
- f. School-age child care.
- 83-109. "Signed" means having affixed with an individual's name signature consistent with customary usage on an official document or with a symbol of the name representing an individual's signature if the individual is unable to write the individual's name.
- 84-110. "Space utilization" means the designated use of an area within a facility or a child care group home for specific child care services or activities.
- 85-111. "Staff"; or "staff member"; or "child care personnel" means any employee or volunteer working at a child care facility an individual who works in a facility or a child care group home, regardless of whether compensation is received by the individual.
- 86-112. "STRIVE" means Family, Career, and Community Leaders of America, formerly known as Students Together Rising in Vocational Education, a vocational career and technical student organization authorized by the Arizona Department of Education under A.R.S. § 15-781.01.
- 87-113. "Student-aide" means an individual 15 years of age or younger under the age of 16 who is enrolled in an educational, curriculum-based course of study and who, without being compensated by a licensee, is present at a facility to receive instruction from and supervision by child care personnel in the provision of child care services.
88. "Substantive review" means the Department's process for determining whether an applicant for a license and an applicant's facility meet the requirements of A.R.S. § 36-881 et seq. and these rules, including an evaluation of the completed documents submitted as prescribed by R9-5-201 and R9-5-203(A) and inspection of the facility.
114. "Substantial compliance" means [:
- a. For a child care facility,] that the nature or number of violations revealed by any type of inspection or investigation of an applicant for licensure or a licensed child care facility does not pose a direct risk to the life, health or safety of children[; and
- b. For a child care group home,] that the nature or number of violations revealed by any type of inspection or investigation of an applicant for certification as a child care group home or a certified child care group home does not pose a direct risk to the life, health or safety of children.
- 89-115. "Supervision" means:
- a. The physical presence of a facility director, provider, or staff member who has responsibility for and is within sight and sound of an enrolled child, or
- b. The physical presence of a facility director, provider, or teacher-caregiver who is providing direction to and is within sight and sound of a staff member or student-aide.
- 90-116. "Swimming pool" has the same meaning as in 9 A.A.C. ~~R9-8-811(P)~~ 8, Article 8.
- 94-117. "Teacher-caregiver" means a staff member responsible for developing, planning, and conducting child care activities.
- 92-118. "Training" means child care-related conferences, seminars, lectures, workshops, classes, courses, or instruction required by the Department of a licensee, certificate holder, or child care personnel staff member.
- 93-119. "Volunteer" means a staff member who works in a facility without compensation by the facility.

R9-5-102. Individuals to Act for Applicant, Licensee, or Certificate Holder Regarding Document, Fingerprinting, and Department-Provided Training Requirements

When an applicant, licensee, or certificate holder is required by this Chapter to provide information on or sign documents, possess a class one or two fingerprint clearance card, or complete Department-provided training, the following shall satisfy the requirement on behalf of the applicant, licensee, or certificate holder:

1. If the applicant, licensee, or certificate holder is an individual, the individual:

Arizona Administrative Register
Notices of Proposed Rulemaking

2. If the applicant, licensee, or certificate holder is a corporation, an officer of the corporation;
3. If the applicant, licensee, or certificate holder is a partnership, two of the partners;
4. If the applicant, licensee, or certificate holder is a limited liability company, a manager or, if the limited liability company does not have a manager, a member of the limited liability company;
5. If the applicant, licensee, or certificate holder is an association or cooperative, two members of the governing board of the association or cooperative;
6. If the applicant, licensee, or certificate holder is a joint venture, two of the individuals signing the joint venture agreement;
7. If the applicant, licensee, or certificate holder is a public school, an individual designated in writing as signatory for the public school by the school governing board or school district superintendent;
8. If the applicant, licensee, or certificate holder is a charter school, the person approved to operate the charter school by the district governing board, the Arizona Board of Education, or the Arizona Board for Charter Schools;
9. If the applicant, licensee, or certificate holder is a governmental agency, the individual in the senior leadership position with the agency or an individual designated in writing by that individual; and
10. If the applicant, licensee, or certificate holder is a business organization type other than those described in subsections (2) through (9), two individuals who are members of the business organization.

ARTICLE 2. FACILITY LICENSURE

R9-5-201. Application for a License

A. An applicant for a license shall:

1. Be at least 18 years of age or older;
2. If an individual, be a U.S. citizen or legal resident alien and a resident of Arizona;
3. If a corporation, association, or limited liability company, be a domestic entity or a foreign entity qualified to do business in Arizona;
4. If a partnership, have at least one partner who is a U.S. citizen or legal resident alien and a resident of Arizona;
- 2-5. Submit the following completed documents to the Department an application packet that includes:
 - a. A notarized application form signed by the applicant stating:
 - i. The applicant's name;
 - ii. The facility's name, street address, mailing address, and telephone number; and
 - iii. The name and applicant's type of business organization applying for a license;
 - iv. The name and business or residential address of each controlling person;
 - v. That no controlling person has been denied a certificate to operate a child care group home or a license to operate a child care facility for the care of children in this state or another state;
 - vi. That no controlling person has had a certificate to operate a child care group home or a license to operate a child care facility revoked in this state or another state for reasons that relate to endangerment of the health and safety of children;
 - vii. Whether the applicant agrees to allow the Department to submit supplemental requests for information; and
 - viii. That the applicant has read and will comply with these rules and declares that the information provided in the application is accurate and complete;
 - b. Organization information If the applicant is a business organization, an Attachment to Application including the following organizational information about the applicant:
 - i. Address The address of the business organization;
 - ii. Name, title, and address of the organization's statutory agent or individual designated by the organization to accept service of process and subpoenas;
 - iii-ii. Name and The name, title, and address of each officer and board member or trustee, if applicable; and
 - iv-iii. Copies A copy of the business organization's Articles articles of Incorporation incorporation, articles of organization, or partnership or joint venture documents, or limited liability documents, if applicable;
 - c. Registration documents as prescribed in R9-5-203 A copy of the applicant's valid class one or class two fingerprint clearance card issued according to A.R.S. § 41-1758.03;
 - d. A Criminal History Affidavit Class I or Class II completed by the applicant and including the information required by A.R.S. § 36-883.02;
 - e. A certificate issued by the Department showing that the applicant has completed at least four hours of Department-provided training that included the Department's role in licensing and regulating child care facilities under A.R.S. Title 36, Chapter 7.1, Article 1 and these rules;
 - f. If the applicant is an individual, a copy of one of the following for the applicant:
 - i. A U.S. passport,
 - ii. A birth certificate,
 - iii. Naturalization documents, or

Arizona Administrative Register
Notices of Proposed Rulemaking

- iv. Documentation of legal resident alien status;
- g. If the applicant is a corporation or a limited liability company, a certificate of good standing issued to the applicant by the Arizona Corporation Commission and dated within six months before the date of application;
- h. If the applicant is a partnership or an association, a copy of one of the following for one partner or association member of the applicant:
 - i. A U.S. passport.
 - ii. A birth certificate.
 - iii. Naturalization documents, or
 - iv. Documentation of legal resident alien status;
- i. The following information about the applicant's designated agent:
 - i. Name;
 - ii. Residential and business addresses;
 - iii. Residential and business telephone numbers; and
 - iv. Residential and business facsimile numbers, if any;
- j. A copy of one of the following for the applicant's designated agent:
 - i. A U.S. passport.
 - ii. A birth certificate.
 - iii. Naturalization documents, or
 - iv. Documentation of legal resident alien status;
- ~~d.k.~~ The physical plant documents required by R9-5-607 that include the service classifications being requested by the applicant;
- l. An Applicant, Staff, and Resident Report Form, including the applicant's name and address; a statement that the information on the form is accurate and complete; the dated signature of the applicant; and the following information about the applicant, each staff member, and each resident:
 - i. Name;
 - ii. Social security number or identification number issued by the U.S. Immigration and Naturalization Service;
 - iii. Birth date;
 - iv. Hire date, if applicable;
 - v. Job title, if a staff member, or relationship to the applicant or director, if a resident;
 - vi. Date of high school diploma or high school equivalency diploma, if applicable; and
 - vii. Information demonstrating each individual's compliance with A.R.S. § 36-883.02;
- ~~e.m.~~ An agricultural attachment that contains the information required by A.R.S. § 36-882(B) Agricultural Land Notification Form, including:
 - i. The facility's name and address;
 - ii. Whether the facility is located within one-fourth mile of agricultural land; and
 - iii. If the facility is located within one-fourth mile of agricultural land, the names and addresses of the owners or lessees of all agricultural land located within one-fourth mile of the facility;
- n. If the facility is located within one-fourth mile of agricultural land, and a child care facility has not previously been licensed at the same location, a copy of an agreement complying with A.R.S. § 36-882(D) for each parcel of agricultural land affected;
- o. A Director Qualifications form completed by the individual that the applicant intends to have serve as facility director, including:
 - i. The name of the individual;
 - ii. The facility's name, address, and telephone number;
 - iii. A statement that the individual is at least 21 years of age, will accept the primary responsibility for the daily administration and operation of the facility, and possesses the minimum qualifications required by R9-5-401;
 - iv. An indication of the individual's credentials or academic experience complying with R9-5-401;
 - v. A list of the individual's qualifying child care experience, including beginning and ending dates; positions held; each facility's name, address, and telephone number; a description of the experience at each facility; and the number of hours per week worked at each facility;
 - vi. A copy of the individual's diploma or transcript from each high school, college, university, or other educational facility attended by the individual, showing the name and location of the educational facility; the course of study pursued at the educational facility; the date of any diploma or degree attained at the educational facility; and the number of credit hours completed or the diploma or degree attained at the educational facility;
 - vii. A copy of the certificate of attendance from each child-care workshop attended by the individual;

Arizona Administrative Register
Notices of Proposed Rulemaking

viii. A statement that the individual has provided the licensee with the names, addresses, and telephone numbers of two professional references and two personal references and with at least one written professional reference and one written personal reference;

ix. A statement that the information in the Director Qualifications Form is accurate and complete; and

x. The signature of the individual; and

f.p. The fee required by A.R.S. § 36-882(F) 36-882; .

3. ~~Before the issuance of a license, submit written documentation verifying that the applicant or a registered individual designated by the applicant has completed not less than 4 actual hours of Department provided training that includes the Department's role in licensing and regulating child care facilities under A.R.S. §§ 36-881 et seq. and these rules; and~~

4. ~~Demonstrate compliance with A.R.S. §§ 36-881 et seq. and these rules through a facility inspection by the Department.~~

B. ~~A person shall apply for a license as prescribed by this Section for~~ The Department requires a separate license and a separate application for:

1. ~~Each facility operated~~ owned by the same person at ~~a different locations~~ location, and

2. ~~Each facility operated~~ owned by ~~a different persons~~ person at the same location.

C. ~~The Department does not require an~~ a separate application for a supplementary structure that is:

1. ~~Located on the same grounds contiguous to a~~ as the facility,

2. ~~under~~ Under the same ownership as the facility, and

3. ~~intended~~ Intended to be used in conjunction with ~~a~~ the facility.

R9-5-202. Initial License Application Time-frames

~~A. For an initial license, the overall time frame described in A.R.S. § 41-1072 (2) is 90 days.~~

~~B. For an initial license, the administrative completeness review time frame described in A.R.S. § 41-1072(1) is 30 days and begins on the date the Department receives an application.~~

1. ~~If any of the application documents are missing or if information on the submitted documents is deficient, the Department shall send to the applicant, by certified mail with return receipt, a written notice that states each deficiency and information and document needed to complete the application. The 30 day time frame for the Department to finish the administrative completeness review is suspended from the date the Department mails the deficiency notice to the applicant until the date the Department receives the deficient information or missing document.~~

2. ~~If all of the documents are submitted and the information on the documents is complete, the Department shall send a written notice of administrative completeness to the applicant.~~

3. ~~If the documents or information are not submitted within 180 days from the date of notice of incompleteness, the Department shall consider the application withdrawn.~~

~~C. For an initial license, the substantive review time frame described in A.R.S. § 41-1072(3) is 60 days and begins on the date the Department sends written notice of administrative completeness to the applicant.~~

1. ~~As part of the substantive review, the Department may schedule an inspection which may require more than 1 visit to the facility.~~

2. ~~If an applicant or facility does not meet the requirements of A.R.S. §§ 36-881 et seq. and these rules, the Department shall provide to the applicant a written notice of nonconformance that states each statute and rule upon which nonconformance is based.~~

a. ~~Within 120 days from the date of receipt of a written notice of nonconformance the applicant shall submit, to the Department, written documentation of the corrections required in the notice of nonconformance. The 60 day time frame for the Department to finish the substantive review is suspended from the date the Department provides the written notice of nonconformance to the applicant until the Department receives documentation of corrections.~~

b. ~~The Department shall issue a written notice of denial of license as prescribed in A.R.S. §§ 36-888 and 41-1076, if:~~

i. ~~The applicant does not submit documentation of corrections within the time frame in subsection (C)(2)(a); or~~

ii. ~~Upon receipt of documentation of corrections from the applicant, the Department determines that the applicant or facility do not meet the requirements of A.R.S. §§ 36-881 et seq. and these rules.~~

3. ~~If the applicant and facility meet the requirements of A.R.S. § 36-881 et seq. and these rules, the Department shall issue a license to the applicant.~~

~~D. If a time frame's last day falls on a Saturday, Sunday, or a legal holiday, the next business day will be considered the time frame's last day.~~

A. The overall time-frame described in A.R.S. § 41-1072 for each type of approval granted by the Department under this Article is set forth in Table 1. The applicant and the Department may agree in writing to extend the substantive review

Arizona Administrative Register
Notices of Proposed Rulemaking

time-frame and the overall time-frame. An extension of the substantive review time-frame and the overall time-frame may not exceed 25% of the overall time-frame.

- B.** The administrative completeness review time-frame described in A.R.S. § 41-1072 for each type of approval granted by the Department under this Article is set forth in Table 1 and begins on the date that the Department receives an application.
1. The Department shall send a notice of administrative completeness or deficiencies to the applicant within the administrative completeness review time-frame.
 - a. A notice of deficiencies shall list each deficiency and the items needed to complete the application.
 - b. The administrative completeness review time-frame and the overall time-frame are suspended from the date that the notice of deficiencies is issued until the date that the Department receives all of the missing items from the applicant.
 - c. If an applicant for an initial license, a license renewal, or an approval of a change affecting a license fails to submit to the Department all of the items listed in the notice of deficiencies within 180 days after the date that the Department sent the notice of deficiencies, the Department shall consider the application withdrawn.
 2. If the Department issues a license or other approval to the applicant during the administrative completeness review time-frame, the Department shall not issue a separate written notice of administrative completeness.
- C.** The substantive review time-frame described in A.R.S. § 41-1072 is set forth in Table 1 and begins on the date of the notice of administrative completeness.
1. As part of the substantive review for an initial license application or a license renewal application, the Department shall conduct an inspection that may require more than one visit to the facility.
 2. As part of the substantive review for a request for approval of a change affecting a license, the Department may conduct an inspection that may require more than one visit to the facility.
 3. The Department shall send a license or a written notice of approval or denial of a license or other request for approval to an applicant within the substantive review time-frame.
 4. During the substantive review time-frame, the Department may make one comprehensive written request for additional information, unless the Department and the applicant have agreed in writing to allow the Department to submit supplemental requests for information.
 - a. If the Department determines that an applicant or a facility is not in substantial compliance with A.R.S. Title 36, Chapter 7.1, Article 1 and these rules, the Department shall send a comprehensive written request for additional information that includes a written statement of deficiencies stating each statute and rule upon which noncompliance is based.
 - b. An applicant shall submit to the Department all of the information requested in the comprehensive written request for additional information and written documentation of the corrections required in the statement of deficiencies, if applicable:
 - i. Within 120 days after the date of the comprehensive written request for additional information, if applying for an initial license or for approval of a change affecting a license; or
 - ii. Within 10 days after the date of the comprehensive written request for additional information, if applying for a license renewal.
 - c. The substantive review time-frame and the overall time-frame are suspended from the date that the Department issues a comprehensive written request for additional information or a supplemental request for information until the date that the Department receives all of the information requested, including documentation of corrections required in a statement of deficiencies, if applicable.
 - d. If an applicant fails to submit to the Department all of the information requested in a comprehensive written request for additional information or a supplemental request for information, including documentation of corrections required in a statement of deficiencies, if applicable, within the time prescribed in subsection (C)(4)(b), the Department shall deny the application.
 5. The Department shall issue a license or approval if the Department determines that the applicant and facility are in substantial compliance with A.R.S. Title 36, Chapter 7.1, Article 1 and these rules, and the applicant submits documentation of corrections that is acceptable to the Department for any deficiencies.
 6. If the Department determines that a license or approval is to be denied, the Department shall send to the applicant a written notice of denial complying with A.R.S. § 36-888 and setting forth the reasons for denial and all other information required by A.R.S. §§ 36-888 and 41-1076.

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 1. Time-frames (in days)

<u>Type of Approval</u>	<u>Statutory Authority</u>	<u>Overall Time-frame</u>	<u>Administrative Completeness Review Time-frame</u>	<u>Substantive Review Time-frame</u>
<u>Initial License under R9-5-201</u>	<u>A.R.S. § 36-882</u>	<u>120</u>	<u>30</u>	<u>90</u>
<u>License Renewal under R9-5-205</u>	<u>A.R.S. § 36-882</u>	<u>150</u>	<u>30</u>	<u>120</u>
<u>Approval of Change Affecting License under R9-5-206</u>	<u>A.R.S. §§ 36-882, 36-883</u>	<u>75</u>	<u>30</u>	<u>45</u>

R9-5-203. Registration and Fingerprinting Requirements

- A.** ~~An applicant for a license shall apply for registration with the Department by submitting:~~ A licensee shall ensure that each staff member and each adult resident at a facility:
1. ~~Unless exempted by A.R.S. § 36-883.02, a completed and legible fingerprint card;~~ Possesses a valid class one or class two fingerprint clearance card issued under A.R.S. § 41-1758.03; or
 2. ~~A registration to work form, provided by the Department, completed and signed by the applicant, and notarized that contains:~~ Submits to the licensee, within seven working days after becoming a staff member or adult resident, a copy of a fingerprint clearance card application showing that the application was submitted to the fingerprint division of the Department of Public Safety under A.R.S. § 41-1758.02.
 - a. ~~The applicant's name, birth date, social security number, home address, telephone number, and job title;~~
 - b. ~~If previously registered with the Department, the date of previous registration and name used for registration;~~
 - c. ~~The facility name, address, telephone number;~~
 - d. ~~An identification of whether the applicant is awaiting trial on, has been convicted of, or has admitted in open court or as prescribed by a plea agreement committing any criminal offense described in A.R.S. § 36-883.02(G);~~
 - e. ~~Certification that the applicant is not a parent of a child who has been adjudicated dependent as prescribed by A.R.S. § 8-201(11); and~~
 - f. ~~Certification that the applicant has not had a license to operate a facility denied or revoked in any state; and~~
 3. ~~A registration recap form provided by the Department, completed by the applicant for licensure or licensee, which contains the:~~
 - a. ~~Name, address, and telephone number of the facility;~~
 - b. ~~Name of facility director; and~~
 - c. ~~Name of each individual applying for registration.~~
- B.** ~~Within 20 days from the date of employment or volunteer service of each staff member, a licensee shall submit the information in subsection (A) for each staff member who is 18 years of age or older. If a staff member or adult resident possesses a class one or class two fingerprint clearance card that was issued before the staff member or adult resident became a staff member or adult resident at the facility, the licensee shall contact the Department of Public Safety to determine whether the class one or class two fingerprint clearance card is valid. The licensee shall make a record of this determination, including the name of the staff member or adult resident, the date of the contact with the Department of Public Safety, and whether the class one or class two fingerprint clearance card is valid.~~
- C.** ~~Within 30 days of receipt of an application for registration, the Department shall return to the applicant or licensee a copy of the registration recap form with verification of the Department's receipt. The individuals listed on the verified registration recap form are registered with the Department to work in the child care facility listed on the recap form until the Department denies or revokes the registration. A licensee shall not allow an individual to be a staff member or adult resident if the individual has been denied a class two fingerprint clearance card under A.R.S. Title 41, Chapter 12, Article 3.1 and has not received an interim approval under A.R.S. § 41-619.55(H).~~
- D.** A licensee shall not allow an individual to be a staff member or adult resident if the individual receives an interim approval under A.R.S. § 41-619.55(H) but is then denied a good cause exception under A.R.S. § 41-619.55 and a class two fingerprint clearance card under A.R.S. Title 41, Chapter 12, Article 3.1.

Arizona Administrative Register
Notices of Proposed Rulemaking

- ~~D.E.~~ A registered licensee or staff member who has had an uninterrupted association with or continuous employment in a licensed facility which changes ownership, shall submit the documents in subsections (A)(2) and (A)(3) to the Department within 20 days from the date of ownership change. A staff member who was fingerprinted before July 1, 2000, and who has not changed employment since being fingerprinted is not required to comply with subsection (A)(1) or (2) until August 16, 2002.
- F. A licensee shall ensure that each staff member and adult resident submits to the licensee an original of the form required in A.R.S. § 36-883.02(C). A form completed while a staff member or adult resident was a staff member or adult resident at another facility does not satisfy this subsection.
- G. A licensee shall maintain documentation of compliance with this Section in each staff member's or adult resident's file throughout an individual's time as a staff member or adult resident and for 12 months after an individual ceases to be a staff member or adult resident.

R9-5-204. Denial, Revocation, or Reconsideration of Registration

- A.** The Department shall deny or revoke the registration of an individual:
1. Who is awaiting trial on, has been convicted of, or has admitted in open court or as prescribed by a plea agreement, committing any criminal offense listed in A.R.S. § 36-883.02 (G) except as provided in A.R.S. § 36-883.02 (L); or
 2. Whose presence in a facility may have a detrimental effect on the health, safety, or welfare of children based on evidence obtained from:
 - a. A law enforcement agency;
 - b. Any criminal, civil, or official proceeding of record;
 - c. A written psychological evaluation or professional opinion of:
 - i. A physician licensed by a state board of medical examiners;
 - ii. A psychologist licensed by a state board of psychologist examiners;
 - iii. A behavioral health professional certified by the Arizona board of behavioral health examiners or the equivalent agency from another state; or
 - iv. A social worker, therapist, or counselor certified or licensed by a state board or by a professional accrediting organization or agency for these professions; or
 - d. Child Protective Services.
- B.** If the Department has determined an individual may have a detrimental effect on the health, safety, or welfare of children or an individual has committed one of the offenses listed in A.R.S. § 36-883.02(G), not subject to A.R.S. § 36-883.02(L); the Department shall send a written notice of denial or revocation of registration to the:
1. Individual, by certified mail with return receipt, that states:
 - a. The reason for the denial or revocation of registration, and
 - b. The individual's right to a hearing by the Department if requested in writing within 30 days from the receipt of the Department's notice.
 2. Licensee or applicant for licensure within 5 days of the individual's receipt of the notice required in subsection (B)(1).
- C.** If an individual has committed one of the offenses in A.R.S. § 36-883.02(L), the Department shall determine whether the individual is a recidivist. An individual is not a recidivist if the individual meets the following requirements:
1. If the offense was a felony, 5 years or more have passed between the conviction of the offense and the date the individual submitted a complete application for registration and the individual is not awaiting trial on, has not been convicted of, or has not admitted in open court or as prescribed by a plea agreement, committing any felony within the last 5 years or any misdemeanor within the last 2 years; or
 2. If the offense was a misdemeanor, 2 years or more have passed between the conviction of the offense and the date the individual submitted a complete application for registration and the individual is not awaiting trial on, has not been convicted of, or has not admitted in open court or as prescribed by a plea agreement, committing any felony within the last 5 years or any misdemeanor within the last 2 years.
- D.** If an individual does not meet the requirements of subsection (C), the Department shall send a written notice of denial or revocation to the:
1. Individual, by certified mail with return receipt, that states:
 - a. The reason for the denial or revocation of registration, and
 - b. The individual's right to a hearing by the Department if requested in writing within 30 days from the receipt of the Department's notice.
 2. Licensee or applicant for licensure within 5 days of the individual's receipt of the notice required in subsection (B)(1).
- E.** If an individual meets the requirements of subsection (C), the Department shall send to the individual, by certified mail with return receipt, a written notice of intent to deny the registration. The notice shall state:
1. The criminal offense that was disclosed by the fingerprint check; and
 2. The Department's process for reconsideration of the registration denial.

Arizona Administrative Register
Notices of Proposed Rulemaking

- F.** Within 30 days from the date of receipt of a notice of intent to deny a registration, an individual may submit a request for reconsideration to the Department that contains the individual's name, address, and telephone number and written documentation that demonstrates the individual is rehabilitated including:
1. Employment history of at least 6 months of continuous employment, with no more than 7 consecutive days break in employment within 2 years before the date of receipt of a completed application, including the name, address, and telephone number of each employer or educational history that shows the completion of at least 2 consecutive semesters at a post secondary education institution within 2 years before the date of receipt of a completed application, including the dates of enrollment and completion of course work;
 2. Two written references from individuals, 18 years of age or older and not related by blood or marriage to the individual, who have known the individual for at least 6 months before the date of receipt of a completed application;
 3. An explanation of why the individual believes the individual has been rehabilitated;
 4. Any other documentation which the individual believes supports the individual's claim of being rehabilitated; and
 5. A copy of any court record, such as conviction notice, plea bargain agreement, presentence investigation, minute entry, probation termination or completion document, or any expungement or pardon record that pertains to each crime for which the individual has been convicted. If the individual is unable to provide court documents for each conviction, the individual shall provide written documentation from the court having jurisdiction stating the reason the records are unavailable.
- G.** Within 30 days from the date of receipt of the written documentation required by subsection (F), the Department shall determine whether the individual meets the requirements in subsection (F). If the individual meets the requirements, the Department shall send a written notice of registration to the individual. If the individual does not meet the requirements, the Department shall deny the registration following the requirements in subsection (B).
- H.** If an individual does not request a reconsideration within 30 days from the date of receipt of the notice of intent to deny, the Department shall, by certified mail with return receipt, issue a notice of denial containing the information in subsection (B).
- I.** An individual who has been denied registration as prescribed in subsection (G) or (H) shall not submit an application for registration until 12 months has elapsed from the date of the notice of registration denial. The Department shall return an application for registration to an individual who has been denied registration as prescribed in subsection (G) or (H) if the application is submitted less than 12 months from the date of the notice of registration denial.

R9-5-205-R9-5-204. Child Care Services Service Classifications

- A.** When conducting a substantive review, the The Department shall determine whether the licensee meets the licensure requirements of A.R.S. §§ 36-881 et seq. and these rules to provide child care services on a regular basis in 1 or more of licenses child care facilities using the following service classifications: :
1. Full-day care: Child care services provided for 6 or more hours per day between the hours of 5 a.m. and 8 p.m.,
 2. Part-day care: Child care services provided for less than 6 hours per day between the hours of 5 a.m. and 8 p.m.,
 3. Evening and nighttime care: Child care services provided between the hours of 8 p.m. and 5 a.m.,
 4. Infant care: Child care services provided to an infant as defined in R9-5-101(48),
 5. One-year-old child care: Child care services provided to a one-year old child as defined in R9-5-101(64), and
 6. School-age child care: Child care services provided to a school age child as defined in R9-5-101(78).
- B.** The Department shall designate, on a facility's license, the service classifications ~~of child care services~~ the facility is licensed to provide.
- C.** A licensee shall not provide child care services in a service classification for which the licensee is not licensed.

R9-5-206-R9-5-205. License Renewal

- A.** At least 45 days before the expiration date of a current license, an applicant for renewal of a license shall submit to the Department an application packet including:
1. A ~~complete, signed, and notarized~~ application form signed by the applicant that includes:
 - a. The applicant's name;
 - b. The facility's name, street address, mailing address, and telephone number; ~~and~~
 - c. The ~~name and~~ applicant's type of business organization ~~applying for license renewal; and~~
 - d. A statement that the applicant has read and will comply with these rules and declares that the information provided in the application is accurate and complete;
 2. ~~Any~~ An Attachment to Application including any changes to the ~~organization~~ information previously submitted as prescribed in ~~R9-5-201(A)(2)(b)~~ R9-5-201(A)(5); and
 3. The fee required by A.R.S. § ~~36-882(F)~~ 36-882.
- B.** ~~For a renewal license, the overall time frame described in A.R.S. § 41-1072(2) is 45 days. An applicant that submits the items required by subsection (A) later than 45 days before the expiration date of the current license shall submit to the Department the late filing fee required by A.R.S. § 36-882.~~

Arizona Administrative Register
Notices of Proposed Rulemaking

- C. For a renewal license, the administrative completeness review time frame described in A.R.S. § 41-1072(1) is 15 days and begins on the date the Department receives the renewal application. If an applicant submits the items required by subsection (A) and the fee required by subsection (B), if applicable, before the expiration date of the current license, the current license does not expire until the date specified in A.R.S. § 41-1092.11(A).
1. If the submitted documents are deficient, the Department shall send to the applicant, by certified mail with return receipt, the submitted documents and a deficiency notice.
 - a. The notice shall:
 - i. State each deficiency and the information needed to complete the documents; and
 - ii. Advise the applicant that an additional \$50 late filing fee is due if a complete renewal application is not received by the Department at least 45 days before the expiration date of the current license.
 - b. The 15-day time frame for the Department to finish the administrative completeness review is suspended from the date the Department mails the deficiency notice to the applicant until the date the Department receives the information.
 - c. If an applicant does not submit a complete renewal application before the expiration date of the current license, the license shall expire.
 2. If the submitted documents are complete:
 - a. The Department shall send a written notice of administrative completeness to the applicant; and
 - b. The current license shall not expire until the Department issues the renewal license or written notice of denial.
- D. For a renewal license, the substantive review time frame described in A.R.S. § 41-1072(3) is 30 days and begins on the date the Department sends written notice of administrative completeness to the applicant.
1. If an applicant or facility does not meet the requirements of A.R.S. § 36-881 et seq. and these rules, the Department shall provide to the applicant a written notice of nonconformance that states each statute and rule upon which nonconformance is based.
 - a. ~~Within 10 days from the date of receipt of a written notice of non-conformance the applicant shall submit, to the Department, written documentation of the corrections required in the notice of nonconformance. The 30-day time frame for the Department to finish the substantive review is suspended from the date the Department provides the written notice of nonconformance to the applicant until the Department receives documentation of corrections.~~
 - b. The Department shall issue a written notice of denial of license as prescribed in A.R.S. §§ 36-888 and 41-1076, if:
 - i. ~~The applicant does not submit documentation of corrections within the time frame in subsection (D)(1)(a); or~~
 - ii. ~~Upon receipt of documentation of corrections from the applicant, the Department determines that the applicant or facility do not meet the requirements of A.R.S. § 36-881 et seq. and these rules.~~
 2. ~~If the applicant and facility meet the requirements of A.R.S. § 36-881 et seq. and these rules, the Department shall issue a license to the applicant.~~

~~R9-5-207~~R9-5-206. Changes Affecting a License

- A. ~~A licensee shall notify the Department in writing at~~ At least 30 days before the date of a change in a facility's name, a licensee shall send the Department written notice of the name change. Within 30 days ~~from~~ after the date of receipt of the notice, the Department shall issue an amended license that incorporates the name change but retains the expiration date of the current license.
- B. ~~A licensee shall submit a written request to the Department at~~ At least 30 days before the date of an intended change in a facility's service classification, space utilization, or licensed capacity, that includes a licensee shall submit a written request for approval of the change to the Department. The written request shall include:
1. The licensee's name;
 2. The facility's name, street address, mailing address, and telephone number;
 3. The name, telephone number, and facsimile number of a point of contact for the request;
 4. The facility's license number;
 5. ~~the~~ The type of change intended:
 - a. Service classification,
 - b. Space utilization, or
 - c. Licensed capacity; and
 6. ~~a~~ A narrative description of the intended change; and
 7. The following additional information, as applicable:
 - a. If the intended change affects individual rooms, the following information about each affected room:
 - i. Room name or number,
 - ii. Square footage,
 - iii. Operating hours,

Arizona Administrative Register
Notices of Proposed Rulemaking

- iv. Ages of the children to receive care in the room;
v. Maximum number of children to receive care in the room, and
vi. Whether the room has a diaper changing area;
b. If the intended change is to increase licensed capacity, the square footage of the outdoor activity area; and
c. If the intended change includes a modification to a licensed facility, the following, as applicable:
i. If the facility is not located in a public school, a set of final construction drawings, in compliance with R9-5-607(B);
ii. If the facility is located in a public school and provides child care for children younger than school-age children, a set of final construction drawings or a school map, in compliance with R9-5-607(C);
iii. If the facility is located in a public school and provides child care only for school-age children, two sets of final construction drawings or two school maps, in compliance with R9-5-607(D); and
iv. If the facility is a factory-built building, the documents required by R9-5-607(E).
~~C.~~ 1. ~~Within 30 days from the date of receipt of the request, the The Department shall review the requested change and send written notice of the review to the licensee a request submitted under subsection (B) in accordance with R9-5-202. If the facility will be in substantial compliance with A.R.S. Title 36, Chapter 7.1, Article 1 and these rules with the intended change:~~
a. ~~Complies with A.R.S. §§ 36-881 et seq. and these rules, the Department shall send the licensee an amended license that incorporates the change but retains the expiration date of the current license, or~~
b. ~~Does not comply with A.R.S. §§ 36-881 et seq. and these rules, the Department shall provide the licensee with written notice stating the requirements necessary for the Department to approve the requested change.~~
~~D.~~ 2. ~~A licensee shall not implement any change described under subsection (B) until the Department issues an amended license is issued.~~
~~C.E.~~ ~~A licensee shall notify the Department, in writing, At least 30 days before making the date of a change in the ownership of a facility, a licensee shall send the Department written notice of the change. A new owner shall obtain a new license from the Department as prescribed in R9-5-201 before beginning operation of the facility.~~
~~D.E.~~ ~~A licensee changing a facility's location shall apply for a new license as prescribed by in R9-5-201. If the licensee has completed the training required in R9-5-201(A)(3), the licensee is not required to repeat the training.~~
~~E.~~ ~~A licensee that is a corporation or a limited liability company shall notify the Department in writing within 30 days after the date of a change in any corporate or company officer or statutory agent.~~
~~F.~~ ~~A licensee that is a partnership or a joint venture shall notify the Department in writing within 30 days after the date of a change in members of the partnership or joint venture, or of an individual designated in writing by the licensee to accept service of process and subpoenas.~~
~~G.~~ ~~A licensee that is an association or cooperative, school governing board, or charter school shall notify the Department in writing within 30 days after the date of a change in the officers of the association, cooperative, school governing board, or charter school, or of the statutory agent or other individual designated in writing by the licensee to accept service of process and subpoenas.~~
~~G.~~ Within 30 days after the election of a new officer to the business organization, the election of a new director to the board of directors for the business organization, or a change in a controlling person, a licensee shall send the Department written notice of the change. The written notice shall include:
1. The name of the licensee;
2. A description of the change made;
3. The following information about each controlling person:
a. Name, and
b. Business or residential address;
4. A statement that no controlling person has been denied a certificate to operate a child care group home or a license to operate a child care facility for the care of children in this state or another state;
5. A statement that no controlling person has had a certificate to operate a child care group home or a license to operate a child care facility revoked in this state or another state for reasons that relate to endangerment of the health and safety of children;
6. A statement that the information provided in the written notice is accurate and complete; and
7. The notarized signature of the licensee.
~~H.~~ Within 30 days after changing its designated agent, a licensee shall send the Department written notice of the change, to include:
1. The name of the new designated agent;
2. The residential and business addresses of the new designated agent; and
3. A copy of one of the following for the new designated agent:
a. A U.S. passport,
b. A birth certificate,
c. Naturalization documents, or

Arizona Administrative Register
Notices of Proposed Rulemaking

- d. Documentation of legal resident alien status.

R9-5-207. Change in Director

- A.** Except as provided in subsection (B), within 10 days before changing a facility director, a licensee shall send the Department written notice of the change.
- B.** If a licensee is not aware of a change in facility director 10 days before the effective date of the change, the licensee shall send the Department written notice within 48 hours after becoming aware of the change.
- C.** The written notice shall include a Director Qualifications form completed as required by R9-5-201(A)(2)(i).

R9-5-208. Inspections; Investigations

- A.** The Department shall inspect each facility before issuing an initial license or a renewal license; and as often as necessary to determine compliance with A.R.S. § ~~36-881 et seq.~~ Title 36, Chapter 7.1, Article 1 and these rules. ~~Additionally, a A~~ licensee shall allow access to all areas of the facility affecting the health, safety, or welfare of ~~a an enrolled~~ child or to which ~~a an enrolled~~ child has access during hours of operation.
- B.** If the Department receives written or verbal information alleging a violation of A.R.S. § ~~36-881 et seq.~~ Title 36, Chapter 7.1, Article 1 or these rules, the Department shall conduct an investigation to ~~verify~~ determine compliance. ~~The A~~ licensee shall permit the Department to interview ~~child care personnel~~ staff members, residents, and enrolled children ~~for the as~~ part of an investigation.

R9-5-209. Denial, Revocation, or Suspension of License

- A.** The Department may deny, revoke, or suspend a license to operate a facility if an applicant or licensee:
1. Provides false or misleading information to the Department;
 2. Has been denied a certificate or license to operate a child care home or a certificate or license to operate a child care facility in any state, unless the denial was based on the applicant's failure to complete the certification or licensing process in accordance with a required time-frame;
 3. Has had a certificate or license to operate a child care home or a certificate or license to operate a child care facility revoked or suspended in any state;
 4. ~~Has had registration to operate or work in a child care facility in the state of Arizona revoked or denied~~ Has been denied a fingerprint clearance card or has had a fingerprint clearance card revoked under A.R.S. Title 41, Chapter 12, Article 3.1;
 5. Fails to substantially comply with any provision ~~contained~~ in A.R.S. § ~~36-881 et seq.~~ Title 36, Chapter 7.1, Article 1 or these rules; or
 6. Substantially complies with A.R.S. Title 36, Chapter 7.1, Article 1 and these rules, but refuses to carry out a plan acceptable to the Department to eliminate any deficiencies.
- B.** In determining whether to deny, suspend, or revoke a license, the Department shall consider the threat to the health and safety of children in a facility based on such factors as:
1. Repeated violations of statutes or rules,
 2. ~~Pattern~~ A pattern of non-compliance,
 3. ~~Type~~ The type of violation,
 4. ~~Severity~~ The severity of each violation, and
 5. ~~Number~~ The number of violations.

ARTICLE 5. FACILITY PROGRAM AND EQUIPMENT

R9-5-509. General Food Service and Food Handling Standards

- A.** A licensee that prepares or serves food to enrolled children on ~~the~~ facility premises shall comply with ~~9 A.A.C. R9-8-111 through R9-8-135, 8, Article 1 and the~~ local ordinances; and requirements of the local health department where the facility is located. If a licensee contracts with a food ~~service~~ establishment ~~defined in A.A.C. R9-8-112(13),~~ to prepare and deliver food to the facility, the licensee shall obtain and provide the Department with a copy of the food ~~service~~ establishment's permit, issued ~~as prescribed by A.A.C. R9-8-119 under 9 A.A.C. 8, Article 1,~~ at the following times:
1. Before the Department issues a license to the facility,
 2. Upon contracting with the food ~~service~~ establishment, and
 3. Every 12 months ~~from~~ after the date the ~~food service~~ contract is entered into while the contract is in effect.
- B.** ~~A licensee that stores, displays, transports, prepares, or serves food shall:~~
1. ~~Protect food from contamination;~~
 2. ~~Prohibit storage of food in a bathroom;~~
 3. ~~Store perishable foods requiring cold storage in a refrigeration unit at temperatures that do not exceed 45° F or freezer at temperatures that do not exceed 0° F. Each refrigeration unit or freezer shall be fitted with a thermometer to measure the inside air temperature;~~
 4. ~~Maintain perishable foods requiring hot storage at a temperature of at least 140° F, except during food preparation; and~~

Arizona Administrative Register
Notices of Proposed Rulemaking

5. Provide a metal stem-type thermometer to measure the temperatures of foods.
- ~~C.~~ A licensee shall ensure that a utensil, container, surface, or appliance used for eating, drinking, or food preparation is clean. All single service articles as defined in A.A.C. R9-8-112(30) shall be disposed of after each use.
- ~~D.~~ A licensee shall ensure that staff members wash their hands with antibacterial soap and running water before preparing or serving food or washing utensils.
- ~~E.~~ When a licensee serves milk, vegetable juice, or fruit juice, the licensee shall ensure that the staff member:
1. Serves fresh milk from a commercially filled container and does not return an unused portion to a commercial container. This rule supersedes A.A.C. R9-8-132(E)(2);
 2. Does not substitute fresh milk with dry milk that has been reconstituted;
 3. Does not replace fresh milk with any other food in the meal pattern requirement; and
 4. Serves 100% full-strength fruit or vegetable juices.
- ~~F.B.~~ A licensee shall ~~require~~ ensure that each child:
1. ~~Washes hands with antibacterial~~ Enrolled children, except infants and special needs children who cannot wash their own hands, wash their hands with soap and running water before handling or eating food;:
 - a. ~~A staff member may use a washcloth to wash the hands of an infant or a child with special needs if indicated in the child's individualized plan; and~~
 - b. ~~To reduce the transfer of bacteria, a washcloth shall be used only once for an infant or a child with special needs;~~
 2. ~~A staff member:~~
 - a. Washes with a washcloth the hands of an infant or a special needs child who cannot wash the child's own hands before the infant or special needs child handles or eats food, and
 - b. Uses each washcloth only once before it is laundered or discarded;
 - ~~2-3. Is not served or~~ An enrolled child is not permitted to eat food directly off of the floor, carpet, or ground or with utensils placed directly on the floor, carpet, or ground;
 - ~~3-4. Is encouraged but not forced by a staff member to eat foods served at a facility~~ A staff member encourages, but never forces, enrolled children to eat food;
 - ~~4-5. Is assisted in eating when necessary~~ A staff member assists each enrolled child who needs assistance with eating; and
 - ~~5-6. Is taught~~ A staff member teaches self-feeding skills and habits of good nutrition to each child as necessary; ;
 7. Fresh milk is served directly from the original, commercially filled container, and unused portions of individual servings are not returned to the original container;
 8. Reconstituted dry milk is not served to meet the fluid milk requirement;
 9. Juice served to children for a meal or snack is full-strength 100% vegetable or 100% fruit juice from an original, commercially filled container or reconstituted from a concentrate according to manufacturer instructions;
 10. Each staff member is informed of a modified diet prescribed for an enrolled child by the child's parent or health care provider, and the modified diet is posted in the kitchen and in the child's activity area;
 11. The food served to an enrolled child is consistent with a modified diet prescribed for the child by the child's parent or health care provider;
 12. An enrolled child is not permitted in the kitchen during food preparation or food service except as part of an activity;
 13. Enrolled children do not use the kitchen or a food storage area as a passageway; and
 14. A director or staff member:
 - a. Prepares a weekly menu at least one week in advance,
 - b. Includes on the menu the foods to be served on each day,
 - c. Dates each menu,
 - d. Posts each menu at least one day before the first meal on the menu will be served, and
 - e. Writes food substitutions on a posted menu no later than the morning of the day of meal service.
- ~~G.~~ Before the facility's 1st food service of the calendar week, a licensee shall ensure a dated menu specifying foods to be served on each day the facility is operating during the calendar week is posted in the facility.
1. If a licensee serves a substitution for a food specified on the posted menu, the substitution shall be noted on the posted menu before the facility's 1st food service of the day.
 2. A licensee shall maintain a menu on facility premises for 3 months from the date of the menu.
- ~~H.~~ When a parent provides specific dietary instructions for a child, a licensee shall post the instructions in the kitchen and the child's activity area and serve the child foods as instructed.
- ~~I.~~ A licensee shall not permit children in a kitchen during food preparation and food service except as part of an activity.
- ~~J.~~ A licensee shall not allow a food preparation or food storage area to be used as a passageway by children.

ARTICLE 7. CHILD CARE GROUP HOME CERTIFICATION ~~OF DAY CARE GROUP HOMES~~

R9-5-701. ~~Initial certification~~ Application for a Certificate

- ~~A.~~ An individual, partnership, or corporation shall not operate a day care group home unless certified by the Department.

Arizona Administrative Register
Notices of Proposed Rulemaking

- B.** A completed, signed and notarized application for certification shall be submitted on forms provided by the Department, along with a non-refundable fee, pursuant to A.R.S. § 36-897.01(C) and (D), and all required attachments. An application submitted on behalf of an individual shall be signed by the individual; an application submitted on behalf of a partnership shall be signed by all partners; an application submitted on behalf of a corporation shall be signed by two officers of the Board of Directors of that corporation. The application shall contain:
1. For each signatory on the application for certification and for all child care personnel, a completed, notarized, work registration card, a completed fingerprint card, and a non-refundable fee covering the cost of the fingerprint check;
 2. For corporations, current Certification of Corporation status, a list of the corporate Board of Directors with designated officers, and current bylaws;
 3. A floor plan of the proposed facility containing accurate dimensions;
 4. A site plan, with accurate measurements, of the facility's surrounding grounds and outdoor activity area;
 5. Name, address and telephone number of available fire, paramedic, emergency room, poison control and police services and the proximity of such services to the facility;
 6. Address of any location serving alcoholic beverages within 500 feet of the facility;
 7. The addresses of agricultural land within one-fourth mile of the facility;
 8. A notarized statement that the certificate holder has sufficient financial resources to maintain and operate the facility in full compliance with the statutes and rules governing day care group homes;
 9. Written references, as specified in R9-5-801(B)(13), from persons who are 21 years of age or older and who have personal knowledge of the provider and who will attest to the provider's good character and ability to care for children;
 10. Verification of fingerprint registration with the Department, as specified in A.R.S. § 36-897.03, of the applicant, all personnel, and household members who are 18 years of age or older;
 11. Documentation provided by the Department that the provider has attended the Department's orientation program for day care group home;
 12. Copy of report of violation-free fire inspection conducted by the local fire authority or the State Fire Marshal's office. This inspection shall be conducted within 90 days prior to application for certification;
 13. Copy of report of sanitation inspection on Department-approved forms conducted within 90 days prior to application for certification; and
 14. Copy of report of violation-free gas inspection conducted by a licensed plumber or person licensed by the state to conduct inspection and repairs of gas lines and gas-fired heating and cooling devices conducted within 90 days prior to the application for certification.
- C.** If notified by the Department that the application is not complete, the applicant shall supply the requested information within 15 calendar days after receiving such notice. If the applicant fails to provide the requested information within the stated time, the application shall be denied.
- D.** After an application for initial certification is determined to be complete, the Department shall conduct an inspection of the facility and its grounds, to determine compliance with statutes and rules governing day care group homes.
- E.** The applicant shall sign the inspection report acknowledging the receipt of a copy of the inspection report.

An applicant for a certificate shall:

1. Be at least 21 years of age; and
2. Submit to the Department an application packet including:
 - a. A notarized application form signed by the applicant stating:
 - i. The applicant's name;
 - ii. The child care group home's name, if applicable;
 - iii. The child care group home's street address, mailing address, and telephone number;
 - iv. The applicant's type of business organization;
 - v. Whether the applicant agrees to allow the Department to submit supplemental requests for information; and
 - vi. That the applicant has read and will comply with these rules; has the financial resources to operate the child care group home in compliance with A.R.S. Title 36, Chapter 7.1, Article 4 and these rules; and declares that the information provided in the application is accurate and complete;
 - b. If the applicant is a business organization, an Attachment to Application including the following organizational information about the business organization:
 - i. The address of the business organization;
 - ii. The name, title, and address of the business organization's statutory agent or of the individual designated by the business organization to accept service of process and subpoenas;
 - iii. The name, title, and address of each officer and board member or trustee; and
 - iv. A copy of the business organization's articles of incorporation, partnership or joint venture documents, or limited liability documents, if applicable;
 - c. A Child Care Information Sheet, including:
 - i. The applicant's name and telephone number;
 - ii. The child care group home's name, street address, mailing address, and telephone number;

Arizona Administrative Register
Notices of Proposed Rulemaking

- iii. A list of the rooms in the child care group home indicating which rooms will be used for child care;
- iv. A list of the child care service classifications to be provided in the child care group home; and
- v. The applicant's signature and the date signed;
- d. A copy of the applicant's valid class one or class two fingerprint clearance card issued according to A.R.S. § 41-1758.03;
- e. A Criminal History Affidavit Class I or Class II completed by the applicant and including the information required by A.R.S. § 36-897.03;
- f. A certificate issued by the Department showing that the applicant has completed at least four hours of Department-provided training that included the Department's role in certifying and regulating child care group homes under A.R.S. Title 36, Chapter 7.1, Article 4 and these rules;
- g. The following physical plant documents:
 - i. A floor plan of the child care group home showing the dimensions of the outside walls of the child care group home; the dimensions of each room to be used for child care; the location of each exit from the child care group home; the location of each sink and toilet to be used by enrolled children; and the location of each smoke or heat detector, fire extinguisher, and telephone in the child care group home;
 - ii. A site plan of the child care group home's outdoor activity area showing the dimensions of the outdoor activity area, the height of the fence around the outdoor activity area, the location of each exit from the outdoor activity area, the location of the house, the location of the shaded area required by R9-5-604(F), the location of a swimming pool, the height of the fence around the swimming pool, and the location of any other building or structure in the outdoor activity area;
 - iii. A copy of a violation-free fire inspection conducted within 90 days before the date of application by the local fire department or the Office of the State Fire Marshal; and
 - iv. If the child care group home has gas-powered appliances or heating and cooling devices, a copy of a violation-free gas inspection conducted within 90 days before the date of application by a state-licensed plumber or an individual licensed by the state to conduct inspection and repairs of gas lines and gas-fired heating and cooling devices;
- h. An Applicant, Staff, and Resident Report Form, including the applicant's name and address; a statement that the information on the form is accurate and complete; the dated signature of the applicant; and the following information about the applicant, each staff member, and each resident:
 - i. Name;
 - ii. Social security number or identification number issued by the U.S. Immigration and Naturalization Service;
 - iii. Birth date;
 - iv. Hire date, if applicable;
 - v. Job title, if a staff member, or relationship to certificate holder or provider, if a resident;
 - vi. Date of high school diploma or high school equivalency diploma, if applicable; and
 - vii. Information demonstrating each individual's compliance with A.R.S. § 36-897.03;
- i. A Provider Qualifications Form completed by the individual that the applicant intends to have serve as provider, including:
 - i. The name of the individual;
 - ii. The child care group home's name, if applicable;
 - iii. The child care group home's street address and telephone number;
 - iv. A statement that the individual is at least 21 years of age, will accept the primary responsibility for the daily administration and operation of the child care group home, and possesses the minimum qualifications required by R9-5-801;
 - v. A copy of the individual's high school diploma or high school equivalency diploma;
 - vi. A description of any additional education completed by the individual;
 - vii. A statement that the individual has on file at the child care group home the names, addresses, and telephone numbers of two professional references and two personal references for the individual;
 - viii. A statement that the information in the Application for Provider Form is accurate and complete; and
 - ix. The dated signature of the individual;
- j. At least one written professional reference and one written personal reference for the individual that the applicant intends to have serve as provider;
- k. Copies of certificates of general liability insurance and motor vehicle insurance that comply with R9-5-808; and
- l. The fee required by A.R.S. § 36-897.01.

R9-5-702. ~~Certificate to operate a day care group home~~ Time-frames

- A.** ~~Upon determination by the Department that the application for certification is complete and the facility is in full compliance with the requirements of Article 7 through 10 of this Chapter, the Department shall issue a certificate to the provider~~

Arizona Administrative Register
Notices of Proposed Rulemaking

to operate a day care group home. The certificate shall be valid for three years from the date of issuance and is nontransferable.

- ~~B.~~ The certificate is valid only for the certificate holder and location identified on the certificate.
- ~~C.~~ The provider shall post the certificate in the day care group home in a location where it can be seen by parents or guardians.
- ~~D.~~ Each certificate shall be the property of the state of Arizona and the certificate shall be returned to the Department immediately upon suspension, revocation, expiration of the certificate, or voluntary closure, except for seasonal vacations.
- A. The overall time-frame described in A.R.S. § 41-1072 for each type of approval granted by the Department under this Article is set forth in Table 2. The applicant and the Department may agree in writing to extend the substantive review time-frame and the overall time-frame. An extension of the substantive review time-frame and the overall time-frame may not exceed 25% of the overall time-frame.
- B. The administrative completeness review time-frame described in A.R.S. § 41-1072 for each type of approval granted by the Department under this Article is set forth in Table 2 and begins on the date that the Department receives an application.
 - 1. The Department shall send a notice of administrative completeness or deficiencies to the applicant within the administrative completeness review time-frame.
 - a. A notice of deficiencies shall list each deficiency and the items needed to complete the application.
 - b. The administrative completeness review time-frame and the overall time-frame are suspended from the date that the notice of deficiencies is issued until the date that the Department receives all of the missing items from the applicant.
 - c. If an applicant for an initial certificate or an approval of a change affecting a certificate fails to submit to the Department all of the items listed in the notice of deficiencies within 180 days after the date that the Department sent the notice of deficiencies, the Department shall consider the application withdrawn.
 - 2. If the Department issues a certificate or other approval to the applicant during the administrative completeness review time-frame, the Department shall not issue a separate written notice of administrative completeness.
- C. The substantive review time-frame described in A.R.S. § 41-1072 is set forth in Table 2 and begins on the date of the notice of administrative completeness.
 - 1. As part of the substantive review for an initial certificate application or a certificate renewal application, the Department shall conduct an inspection that may require more than one visit to the child care group home.
 - 2. As part of the substantive review for a request for approval of a change affecting a certificate, the Department may conduct an inspection that may require more than one visit to the child care group home.
 - 3. The Department shall send a certificate or a written notice of approval or denial of a certificate or other request for approval to an applicant within the substantive review time-frame.
 - 4. During the substantive review time-frame, the Department may make one comprehensive written request for additional information, unless the Department and the applicant have agreed in writing to allow the Department to submit supplemental requests for information.
 - a. If the Department determines that an applicant or a child care group home is not in substantial compliance with A.R.S. Title 36, Chapter 7.1, Article 4 and these rules, the Department shall send a comprehensive written request for additional information that includes a written statement of deficiencies stating each statute and rule upon which noncompliance is based.
 - b. An applicant shall submit to the Department all of the information requested in the comprehensive written request for additional information and written documentation of the corrections required in the statement of deficiencies, if applicable:
 - i. Within 120 days after the date of the comprehensive written request for additional information, if applying for an initial certificate or for approval of a change affecting a certificate; or
 - ii. Within 10 days after the date of the comprehensive written request for additional information, if applying for a certificate renewal.
 - c. The substantive review time-frame and the overall time-frame are suspended from the date that the Department issues a comprehensive written request for additional information or a supplemental request for information until the date that the Department receives all of the information requested, including documentation of corrections required in a statement of deficiencies, if applicable.
 - d. If an applicant fails to submit to the Department all of the information requested in a comprehensive written request for additional information or a supplemental request for information, including documentation of corrections required in a statement of deficiencies, if applicable, within the time prescribed in subsection (C)(4)(b), the Department shall deny the application.
 - 5. The Department shall issue a certificate or approval if the Department determines that the applicant and child care group home are in substantial compliance with A.R.S. Title 36, Chapter 7.1, Article 4 and these rules, and the applicant submits documentation of corrections that is acceptable to the Department for any deficiencies.

Arizona Administrative Register
Notices of Proposed Rulemaking

6. If the Department determines that a certificate or approval is to be denied, the Department shall send to the applicant a written notice of denial setting forth the reasons for denial and all other information required by A.R.S. § 41-1076.

Table 2. Time-frames (in days)

<u>Type of Approval</u>	<u>Statutory Authority</u>	<u>Overall Time-frame</u>	<u>Administrative Completeness Review Time-frame</u>	<u>Substantive Review Time-frame</u>
<u>Initial Certificate under R9-5-701</u>	<u>A.R.S. § 36-897.01</u>	<u>120</u>	<u>30</u>	<u>90</u>
<u>Certificate Renewal under R9-5-704</u>	<u>A.R.S. § 36-897.01</u>	<u>90</u>	<u>30</u>	<u>60</u>
<u>Approval of Change Affecting Certificate under R9-5-705</u>	<u>A.R.S. §§ 36-897.01, 36-897.02</u>	<u>75</u>	<u>30</u>	<u>45</u>

R9-5-703. Denial of certification Fingerprinting Requirements

A. Initial certification to operate a day care group home shall be denied if:

1. Applicant fails to timely submit a properly completed application including required inspections and documents;
2. Applicant provides false, incomplete, or misleading information on the application or during the application process;
3. The applicant fails to allow the Department to enter the day care group home or to inspect required records;
4. The applicant fails to fully comply with statutes and rules governing day care group homes or fails to correct within 0 days deficiencies cited during the initial certification inspection;
5. After the Department has determined that an individual's presence in the facility may be detrimental to children, and after the Department has so notified the applicant, that applicant refuses to exclude said individual from the facility during the hours of operation;
6. Applicant refuses to exclude from the day care group home during hours of operation individuals who have been denied registration pursuant to A.R.S. § 36-897.03;
7. Applicant has been denied a certificate to operate a day care group home or a license to operate a day care center for the care of children for cause, in this state or another state, or has had such a certificate or license to operate a day care group home or day care center revoked, suspended, or not renewed;
8. The Department has determined that the applicant is not of good character conducive to the welfare of children. An applicant who is an individual, or who is the officer of a corporation which is the applicant, or is a partner in a partnership will be considered not to have the good character conducive to the welfare of children if:
 - a. The applicant is awaiting trial on, or has been convicted of, or has admitted committing any of the following criminal offenses in this state or similar offenses in another state or jurisdiction:
 - i. Sexual abuse of a minor;
 - ii. Incest;
 - iii. First- or second-degree murder;
 - iv. Kidnapping;
 - v. Arson;
 - vi. Sexual assault;
 - vii. Sexual exploitation of a minor;
 - viii. Contributing to the delinquency of a minor;
 - ix. Commercial sexual exploitation of a minor;
 - x. Felony offenses involving distribution of marijuana or dangerous or narcotic drugs;
 - xi. Burglary;
 - xii. Robbery;
 - xiii. A dangerous crime against children as defined in A.R.S. § 36-897.03 or A.R.S. § 13-604.01;
 - xiv. Child abuse;
 - xv. Sexual conduct with a minor;
 - xvi. Molestation of a child;
 - b. The applicant is the parent or guardian of a child adjudicated to be a dependent child as defined in A.R.S. § 8-201(11);

Arizona Administrative Register
Notices of Proposed Rulemaking

- e. ~~The applicant, at the time of the renewal inspection, is not in full compliance with the statutes and rules governing day care group homes; or~~
- d. ~~During the most recent certification period, the applicant repeated operated in violation of statutes and rules governing day care group homes.~~
- B.** ~~An application for renewal of a day care group home certificate shall be denied for the reasons specified in subsection (A) of this Section.~~
- A.** A certificate holder shall ensure that each staff member and each adult resident at a child care group home:
 - 1. Possesses a valid class one or class two fingerprint clearance card issued under A.R.S. § 41-1758.03, or
 - 2. Submits to the certificate holder a fingerprint clearance card application showing that the application was submitted to the fingerprint division of the Department of Public Safety under A.R.S. § 41-1758.02 within seven working days after becoming a staff member or adult resident.
- B.** If a staff member or adult resident possesses a class one or class two fingerprint clearance card that was issued before the staff member or adult resident became a staff member or adult resident at the child care group home, the certificate holder shall contact the Department of Public Safety to determine whether the class one or class two fingerprint clearance card is valid. The certificate holder shall make a record of this determination, including the name of the staff member or adult resident, the date of the contact with the Department of Public Safety, and whether the class one or class two fingerprint clearance card is valid.
- C.** A certificate holder shall not allow an individual to be a staff member or adult resident if the individual has been denied a class two fingerprint clearance card under A.R.S. Title 41, Chapter 12, Article 3.1, and has not received an interim approval under A.R.S. § 41-619.55(H).
- D.** A certificate holder shall not allow an individual to be a staff member or adult resident if the individual receives an interim approval under A.R.S. § 41-619.55(H) but is then denied a good cause exception under A.R.S. § 41-619.55 and a class two fingerprint clearance card under A.R.S. Title 41, Chapter 12, Article 3.1.
- E.** A staff member who was fingerprinted before July 1, 2000, and who has not changed employment since being fingerprinted is not required to comply with subsection (A)(1) or (2) until August 16, 2002.
- F.** A certificate holder shall ensure that each staff member and each adult resident submits to the certificate holder the form required in A.R.S. § 36-897.03(B).
- G.** A certificate holder shall maintain documentation of each staff member's or adult resident's compliance with this Section in each staff member's or adult resident's file throughout an individual's time as a staff member or adult resident and for 12 months after an individual ceases to be a staff member or adult resident.

R9-5-704. Certificate Renewal of certification

- A.** ~~An application for renewal of a day care group home certificate shall be submitted on forms provided by the Department no more than 60 days, but not less than 30 days, before expiration of the current certificate. At least 45 days before the expiration of a current certificate, an applicant for renewal of a certificate shall submit to the Department an application packet including:~~
 - 1. A notarized application form signed by the applicant that includes:
 - a. The applicant's name;
 - b. The child care group home's name, if applicable;
 - c. The child care group home's street address, mailing address, and telephone number;
 - d. The applicant's type of business organization; and
 - e. A statement that the applicant has read and will comply with these rules; has the financial resources to operate the child care group home in compliance with A.R.S. Title 36, Chapter 7.1, Article 4 and these rules; and declares that the information provided in the application is accurate and complete;
 - 2. An Attachment to Application including any changes to the information previously submitted as prescribed in R9-5-701(2); and
 - 3. The fee required by A.R.S. § 36-897.01.
- B.** ~~When a completed application for renewal of certification is submitted prior to the expiration of the certificate, the existing certification shall remain in effect until the issuance of a final Department decision regarding that application for renewal of certification. An applicant that submits the items required by subsection (A) later than 45 days before the expiration date of the current certificate shall submit to the Department the late filing fee required by A.R.S. § 36-897.01.~~
- C.** If an applicant submits the items required by subsection (A) and the fee required by subsection (B), if applicable, before the expiration date of the current certificate, the current certificate does not expire until the date specified in A.R.S. § 41-1092.11(A).

R9-5-705. Suspension or revocation of certification Changes Affecting a Certificate

~~Certification may be suspended or revoked for any of the following:~~

- 1. ~~Violation of any statute or rule governing day care group homes;~~
- 2. ~~Failure to comply with child care personnel registration requirements;~~

Arizona Administrative Register
Notices of Proposed Rulemaking

3. Use of personnel for whom proper registration forms have not been submitted or who have been denied registration;
 4. Omission of, or refusal to provide, information or records necessary for the Department to determine compliance with statutes and rules governing day care group homes;
 5. Fraud or deceit in applying for certification or renewal of certification;
 6. Failure to report abuse of a child pursuant to A.R.S. § 13-3620;
 7. The presence in the day care group home, during hours of operation, of any personnel or household member:
 - a. Who are addicted to drugs or alcohol, or whose performance is affected by the use of drugs or alcohol;
 - b. Who have abused any child; or
 - c. Who use or have used unacceptable disciplinary methods as defined in R9-5-909(E).
- A.** At least 30 days before the date of a change in a child care group home's name, a certificate holder shall send the Department written notice of the name change. Within 30 days after the date of receipt of the notice, the Department shall issue an amended certificate that incorporates the name change but retains the expiration date of the current certificate.
- B.** At least 30 days before the date of an intended change in a child care group home's space utilization or certified capacity, a certificate holder shall submit a written request for approval of the change to the Department. The written request shall include:
1. The certificate holder's name;
 2. The child care group home's name, if applicable;
 3. The child care group home's street address, mailing address, and telephone number;
 4. The name, telephone number, and facsimile number of a point of contact for the request;
 5. The child care group home's certificate number;
 6. The type of change:
 - a. Space utilization, or
 - b. Certified capacity;
 7. A narrative description of the intended change; and
 8. The following additional information, as applicable:
 - a. If requesting a change in certified capacity, the square footage of the outdoor activity area and the square footage of the child care group home's indoor activity areas; and
 - b. If requesting a change in space utilization that affects individual rooms, the name and square footage of each affected room.
- C.** The Department shall review a request submitted under subsection (B) in accordance with R9-5-702. If the child care group home will be in substantial compliance with A.R.S. Title 36, Chapter 7.1, Article 4 and these rules with the intended change, the Department shall send the certificate holder an amended certificate that incorporates the change but retains the expiration date of the current certificate.
- D.** A certificate holder shall not implement any change described under subsection (B) until the Department issues an amended certificate.
- E.** At least 30 days before the date of a change in service classification, a certificate holder shall send the Department written notice of the change.
- F.** At least 30 days before the date of a change in the ownership of a child care group home, a certificate holder shall send the Department written notice of the change. A new owner shall obtain a new certificate as prescribed in R9-5-701 before beginning operation of a child care group home.
- G.** A certificate holder changing a child care group home's location shall apply for a new certificate as prescribed in R9-5-701.
- H.** Within 30 days after the date of a change in any corporate or company officer or statutory agent, a certificate holder that is a corporation or a limited liability company shall send the Department written notice of the change.
- I.** Within 30 days after the date of a change in the membership of a partnership or joint venture or in the individual designated in writing to accept service of process and subpoenas, a certificate holder that is a partnership or joint venture shall send the Department written notice of the change.
- J.** Within 30 days after the date of a change in the officers of an association or cooperative or in the statutory agent or other individual designated in writing to accept service of process and subpoenas, a certificate holder that is an association or cooperative shall send the Department written notice of the change.

R9-5-706. Notice of changes Change in Provider

- A.** The certificate holder shall notify the Department in writing, at least 30 days prior to the effective date, of any of the following changes or physical alterations:
1. Remodeling of the day care group home or its grounds. A copy of the remodeling building permit, if required by the local jurisdiction, shall be attached to the notification of remodeling.
 2. Addition of any body of water including wells, cattle tank, swimming pool, spa, hydrotherapy pool, or decorative pond;

Arizona Administrative Register
Notices of Proposed Rulemaking

3. ~~Modification of records, permits or statements, submitted to the Department as a part of the application for certification or renewal of certification; or~~
4. ~~Transfer of ownership or termination of tenancy of the residence in which the child care services are provided.~~

B. ~~The certificate holder shall notify the Department, in writing, within 15 days of:~~

1. ~~Addition or deletion of household members;~~
2. ~~Voluntary closure of child care services. The provider shall submit the current certificate issued to operate the day care group home along with such notification;~~
3. ~~any allegation that personnel or a household member has committed any of the crimes specified in A.R.S. § 36-897.03, or has engaged in or has observed any conduct not conducive to the welfare of the child; or~~
4. ~~The conviction or arrest of any personnel or household member for any crime specified in A.R.S. § 36-897.03.~~

At least 30 days before changing a child care group home's provider, a certificate holder shall send the Department written notice of the change. The written notice shall include a Provider Qualifications Form completed as required by R9-5-701(2)(j).

R9-5-707. ~~Complaints; investigations~~ Inspections; Investigations

- A.** ~~Any person may file a written or oral complaint with the Department regarding the operation of a day care group home. The Department shall visit each day care group home as often as necessary to assure continued full compliance with law and the rules. The Department shall inspect each child care group home before issuing an initial certificate or a renewal certificate and as often as necessary to determine compliance with A.R.S. Title 36, Chapter 7.1, Article 4 and these rules. A certificate holder shall allow access to all areas of the child care group home affecting the health, safety, or welfare of an enrolled child or to which an enrolled child has access during hours of operation.~~
- B.** ~~The provider shall allow representatives of the Department to inspect all areas of the day care group home to which the children have access during hours of operation. Such inspection shall include the facility and grounds, required records and reports, interviews with enrolled children, child care personnel and other household members and shall provide access to areas of the facility not used by children but which may affect their welfare or safety. If the Department receives written or verbal information alleging a violation of A.R.S. Title 36, Chapter 7.1, Article 4 or these rules, the Department shall conduct an investigation to determine compliance. A certificate holder shall permit the Department to interview staff members, residents, and enrolled children as part of an investigation.~~

R9-5-708. ~~Denial, Revocation, or Suspension of Certificate~~

- A.** ~~The Department may deny, revoke, or suspend a certificate to operate a child care group home if an applicant or certificate holder:~~
1. ~~Provides false or misleading information to the Department;~~
 2. ~~Has been denied a certificate or license to operate a child care group home or a certificate or license to operate a child care facility in any state, unless the denial was based on the applicant's failure to complete the certification or licensing process in accordance with a required time-frame;~~
 3. ~~Has had a certificate or license to operate a child care group home or a certificate or license to operate a child care facility revoked or suspended in any state;~~
 4. ~~Has been denied a fingerprint clearance card or has had a fingerprint clearance card revoked under A.R.S. Title 41, Chapter 12, Article 3.1;~~
 5. ~~Fails to substantially comply with any provision in A.R.S. Title 36, Chapter 7.1, Article 4 or these rules; or~~
 6. ~~Substantially complies with A.R.S. Title 36, Chapter 7.1, Article 4 and these rules, but refuses to carry out a plan acceptable to the Department to eliminate any deficiencies.~~
- B.** ~~In determining whether to deny, suspend, or revoke a certificate, the Department shall consider the threat to the health and safety of children in a child care group home based on such factors as:~~
1. ~~Repeated violations of statutes or rules,~~
 2. ~~A pattern of non-compliance,~~
 3. ~~The type of violation,~~
 4. ~~The severity of the violation, and~~
 5. ~~The number of violations.~~

ARTICLE 8. ~~DAY~~ CHILD CARE GROUP HOME ADMINISTRATION

R9-5-801. ~~Provider standards and responsibilities~~

- A.** ~~No change~~
1. ~~No change~~
 2. ~~No change~~
 3. ~~No change~~
 4. ~~Have record~~ a certificate issued by the Department showing that the provider has completed at least four hours of Department-provided training that included the Department's role in certifying and regulating child care group homes

Arizona Administrative Register
Notices of Proposed Rulemaking

~~under A.R.S. Title 36, Chapter 7.1, Article 4 and these rules and records of attendance from required provider orientation as specified in R9-5-701(B)(11) and~~ all courses, workshops, seminars and training events attended.

B. No change

1. Orient each of the facility's personnel and each household member to the statutes and rules governing ~~day~~ child care group homes and to the facility's policies and procedures;
2. Ensure that the facility is operated in full compliance with statutes and rules governing ~~day~~ child care group homes;
3. No change
4. Ensure that all visitors who are present in the facility or grounds, during hours of operation, are supervised and accompanied by the ~~day~~ child care group home personnel;
5. Notify parents and guardians of their right to enter the ~~day~~ child care group home, during hours of operation, while their child is present;
6. No change
7. No change
 - a. Illness, injury or death of a child or other person in the ~~day~~ child care group home;
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
8. No change
9. No change
10. No change
11. No change
12. No change
13. No change

R9-5-802. Personnel standards and responsibilities

A. No change

1. No change
2. No change

B. No change

1. Be oriented to the statutes and rules governing ~~day~~ child care group homes and to facility policies and procedures prior to providing care for enrolled children;
2. Have the physical and emotional health necessary to perform the duties and responsibilities required by the statutes and rules governing ~~day~~ child care group homes; and
3. No change
 - a. No change
 - b. No change
4. No change
5. No change
6. No change
 - a. Orientation of all new employees to the ~~day~~ child care group home and its policies and procedures;
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - g. No change
 - h. No change
 - i. No change
 - j. No change
 - k. No change
7. No change

R9-5-804. Inspection reports

- A.** A chronological file of all reports of inspections conducted at the ~~day~~ child care group home and documentation that required corrections have been timely made shall be kept current and maintained at the facility.

B. No change

C. No change

R9-5-806. Children's records and reports

- A. A ~~day~~ child care group home shall maintain at the facility an individual file for each enrolled child separate from household or personal records. The file shall be made immediately available for inspection by the Department and shall contain the following:
1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 6. No change
 7. No change
 8. No change
 - a. No change
 - b. No change
 - c. No change
 9. No change
 10. No change
 11. Ensure that no child continues enrollment at the ~~day~~ child care group home for more than 15 days after receiving notification of necessary immunizations until proof of immunizations or exemption from immunizations is provided;
 12. No change
 13. No change
 14. No change
 15. No change
 16. No change
 17. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
- B. No change

R9-5-807. Attendance records; admission and release of children

- A. No change
B. No change
C. No change
D. The provider shall require that all authorized individuals, other than the parent or guardian, present picture identification prior to releasing the child from the ~~day~~ child care group home.
E. No change
F. No child shall be allowed to admit or release herself from a ~~day~~ child care group home unless she is of school age and written authorization is provided by the child's parent or guardian when the child is enrolled. If written authorization is brought to the facility by the child, the authorization shall be verified with the parent or guardian upon receipt.

ARTICLE 9. PROGRAM AND EQUIPMENT FOR ~~DAY~~ CHILD CARE GROUP HOMES

R9-5-901. General program and equipment standards

- A. The ~~day~~ child care group home shall maintain a safe and healthful environment, free from disease and illness.
 1. No change
 2. No change
- B. The ~~day~~ child care group home shall provide a program which includes a balance of daily activities which meet the age interests and developmental needs of each child including:
1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 6. No change
- C. No change
D. No change

- E. No change
- F. Each ~~day~~ child care group home shall have sufficient play materials and equipment so that, at any one time, each child who is present can be individually involved in the activities outlined in the activity plan.
- G. In addition to requirements specified in this rule, a ~~day~~ child care group home providing care for three-, four- and five-year-old children shall provide the following play materials and supplies:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
- H. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
- I. No change
- J. No change

R9-5-903. Supplemental equipment standards for school- age children

In addition to materials and supplies specified in R9-5-901(G), the ~~day~~ child care group home shall provide play materials and equipment that meet the interests and developmental needs of children including:

- 1. No change
- 2. No change
- 3. No change
- 4. No change
- 5. No change
- 6. No change

R9-5-904. Supplemental program and equipment standards for special needs children

- A. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
- B. No change
- C. Special needs children shall be integrated into the daily activities of the ~~day~~ child care group home whenever possible within the least restrictive environment that meets the individual needs of special needs children in attendance.

R9-5-905. Supplemental program and equipment standards for night care

After consultation with the parent or guardian to establish a written plan regarding night home care, a ~~day~~ child care group home providing night home care shall comply with the following:

- 1. No change
- 2. No change
- 3. No change
- 4. No change
- 5. No change
- 6. No change

R9-5-906. Illness and infestation

- A. No change
- B. The provider shall not accept or allow a child to remain at the ~~day~~ child care group home if the child shows symptoms of inflammation, fever, rash, diarrhea, vomiting, pinworms, lice, or is suspected of having a contagious or infectious disease or infestation.

Arizona Administrative Register
Notices of Proposed Rulemaking

- C. If the child develops symptoms of illness or infestation while at the ~~day~~ child care group home, personnel shall isolate the child from others upon discovery and shall immediately notify the child's parent or guardian to arrange for prompt removal of the child.
- D. No change

R9-5-907. Emergency medical care

- A. No change
- B. A first-aid kit shall be maintained in the ~~day~~ child care group home which is accessible to all personnel but out of the reach of children. The first-aid kit shall contain at a minimum:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change

R9-5-908. Medications

- A. No change
- B. No change
 - 1. Staff designated by the provider in writing shall be responsible for the administration of medication including the storage, recordkeeping, handling and overseeing the child's ingestion or application of medication. Only one staff member in the ~~day~~ child care group home at any given time shall be designated for administration of medication;
 - 2. No change
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - e. No change
 - f. No change
 - 3. No change
 - 4. The provider shall maintain a record of all medications administered to each child by ~~day~~ child care group home staff. The record shall contain:
 - a. No change
 - b. No change
 - c. No change
 - d. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change
- C. No change

R9-5-909. Discipline and guidance

- A. No change
- B. No change
- C. A child whose behavior is uncontrolled may be restrained by being firmly held by ~~day~~ child care personnel only when all of the following conditions apply:
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
- D. No change
- E. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change

- 6. No change
- F. No change
- G. Only ~~day~~ child care group home personnel shall be allowed to discipline an enrolled child.

R9-5-912. Transportation of children and field trips

- A. No change
- B. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
 - 9. No change
- C. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change
- D. No change
 - 1. The provider shall obtain written permission from the parent or guardian in advance of the child's participation in a field trip. The field trip permission notice shall provide details of the trip including the purpose of the field trip, time of departure and arrival at the ~~day~~ child care group home, and the address of the trip destination;
 - 2. No change
 - 3. No change
 - 4. No change

ARTICLE 10. ACTIVITY AREAS AND PHYSICAL FACILITY STANDARDS FOR ~~DAY~~ CHILD CARE GROUP HOMES

R9-5-1001. ~~Day~~ Child care group home activity areas

- A. No change
- B. No change
- C. No change
- D. No change
 - 1. No change
 - 2. No change
 - 3. No change
 - 4. No change
 - 5. No change
 - 6. No change
 - 7. No change
 - 8. No change

R9-5-1003. Fire and safety

- A. No change
- B. No change
- C. No change
- D. No change
- E. No change
- F. No change
- G. No change
- H. No change
- I. No change

- J.** No change
K. No change
L. No change
M. No change
N. No change
O. No change
P. No change
Q. No change
R. No change
S. No change
T. No change
U. No change
V. The ~~day~~ child care group home and its grounds shall be well illuminated.
W. No change
X. No change
Y. No change

Arizona Administrative Register
Notices of Proposed Rulemaking

E-mail: kphilli@hs.state.az.us

5. An explanation of the rule, including the agency's reasons for initiating the rule:

In December 1999, the Department completed a five-year review report for 9 A.A.C. 6. The five-year review report was approved by the Governor's Regulatory Review Council in March 2000. As a result of the review process, the Department identified a number of changes that needed to be made in 9 A.A.C. 6. The Department also determined that those changes should be made in three separate rule packages. The Department originally included the changes to R9-6-202 in the first of those rule packages. However, due to a deficient docket opening, the Department was required to remove R9-6-202 from that rule package. Thus, this rule package makes the changes to R9-6-202 that the Department intended to make in the first rule package, which dealt with the rules for HIV and sexually transmitted diseases.

This rule package clarifies the clinical laboratory reporting requirement for HIV and adds a clinical laboratory reporting requirement for laboratory findings of CD₄-T-lymphocyte counts of fewer than 200 per microliter of whole blood or CD₄-T-lymphocyte percentages of total lymphocytes of less than 14%. The addition of this reporting requirement is consistent with the Centers for Disease Control and Prevention's definition of AIDS and will improve the Department's ability to track the number of AIDS cases in Arizona. This rule package also makes a minor stylistic change to R9-6-202 that was recommended by Governor's Regulatory Review Council staff to make the rule more clear, concise, and understandable.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study, and other supporting material:

Not applicable

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

As used in this Summary, minimal means less than \$1,000, moderate means between \$1,000 and \$9,999, and substantial means \$10,000 or greater.

The Department anticipates that the proposed rule changes will minimally burden clinical laboratories, which will newly be required to report CD₄-T-lymphocyte counts of fewer than 200 per microliter of whole blood or CD₄-T-lymphocyte percentages of total lymphocytes of less than 14%. Because clinical laboratory directors are already required by Article 2 to make regular reports of numerous laboratory results, the addition of this reporting requirement should result in only a minimal burden. The clarification of the HIV reporting requirement should result in a minimal benefit to clinical laboratories because it should resolve any existing confusion about what HIV-related test results are required to be reported.

The Department will incur the costs of the rulemaking process, which should be minimal to moderate.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact summary:

Name: Vjollca Berisha
Address: Arizona Department of Health Services
Office of HIV/STD
3815 N. Black Canyon Highway
Phoenix, AZ 85015

Telephone: (602) 230-5836

Fax: (602) 230-5973

E-mail: vberish@hs.state.az.us

or

Name: Kathleen Phillips
Address: Arizona Department of Health Services
Office of Administrative Rules
1740 W. Adams, Room 102

Arizona Administrative Register
Notices of Proposed Rulemaking

Phoenix, AZ 85007

Telephone: (602) 542-1264

Fax: (602) 364-1150

E-mail: kphilli@hs.state.az.us

10. The time, place, and nature of the proceedings for the adoption, amendment, or repeal of the rule or, if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

The Department has not scheduled an oral proceeding on the proposed rule. However, a person may request an oral proceeding by submitting a written request to the agency personnel listed in item #4 above before 5:00 p.m. on May 6, 2002. In addition, a person may submit written comments on the proposed rules to the agency personnel listed in item #4 above before the close of record at 5:00 p.m. on May 6, 2002.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

Not applicable

13. The full text of the rules follows:

TITLE 9. HEALTH SERVICES

**CHAPTER 6. DEPARTMENT OF HEALTH SERVICES
COMMUNICABLE DISEASES**

ARTICLE 2. COMMUNICABLE DISEASE REPORTING

Section

R9-6-202.

Special Reporting Requirements

ARTICLE 2. COMMUNICABLE DISEASE REPORTING

R9-6-202. Special Reporting Requirements

A. No change

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change
9. No change
10. No change
11. No change
12. No change
13. No change
14. No change
15. No change

B. No change

1. No change
2. No change
3. No change
4. No change
5. No change
6. No change
7. No change
8. No change

C. No change

Arizona Administrative Register
Notices of Proposed Rulemaking

1. ~~Foodborne/waterborne~~ Foodborne or waterborne illness,
 2. No change
 3. No change
 4. No change
 5. No change
 6. No change
 7. No change
 8. No change
 9. No change
 10. No change
 11. No change
- D.** A clinical laboratory director, ~~or authorized representative~~, either personally or through a representative, shall submit to the Department a weekly written; or electronic report of the following:
1. ~~positive~~ Positive laboratory findings for the following communicable disease pathogens:
 1. ~~a.~~ No change
 2. ~~b.~~ No change
 3. ~~c.~~ No change
 4. ~~d.~~ No change
 5. ~~e.~~ No change
 6. ~~f.~~ No change
 7. ~~g.~~ No change
 8. ~~h.~~ No change
 9. ~~i.~~ No change
 10. ~~j.~~ No change
 11. ~~k.~~ No change
 12. ~~l.~~ No change
 13. ~~m.~~ No change
 14. ~~n.~~ No change
 15. ~~o.~~ No change
 16. ~~p.~~ Human Immunodeficiency Virus (HIV) (by culture, antigen, antibodies to the virus, or viral genetic sequence detection);
 17. ~~q.~~ No change
 18. ~~r.~~ No change
 19. ~~s.~~ No change
 20. ~~t.~~ No change
 21. ~~u.~~ No change
 22. ~~v.~~ No change
 23. ~~w.~~ No change
 24. ~~x.~~ No change
 25. ~~y.~~ No change
 26. ~~z.~~ No change
 27. ~~aa.~~ No change
 28. ~~bb.~~ No change
 29. ~~cc.~~ No change
 30. ~~dd.~~ Yersinia sp.; and
 2. Each laboratory finding of a CD₄-T-lymphocyte count of fewer than 200 per microliter of whole blood or a CD₄-T-lymphocyte percentage of total lymphocytes of less than 14%.
- E.** No change
1. No change
 2. No change
 3. No change
 4. No change
 5. No change
 6. No change
 7. No change
 8. No change
- F.** No change
1. No change
 2. No change

3. No change
4. No change
5. No change
6. No change

NOTICE OF PROPOSED RULEMAKING

TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION TITLE, REGISTRATION, AND DRIVER LICENSES

PREAMBLE

1. Sections affected:

R17-4-450
R17-4-451
R17-4-452
Appendix D
R17-4-453
Appendix B
R17-4-454
R17-4-455
Appendix C
Appendix E
R17-4-456
R17-4-457
R17-4-458
R17-4-459
R17-4-460
R17-4-461
R17-4-462
R17-4-463
R17-4-464
R17-4-465
R17-4-466
Appendix A
R17-4-467

Rulemaking Action:

Repeal
Repeal
Repeal
Repeal
Repeal
Repeal
Repeal
Repeal
Repeal
Repeal
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Repeal
Repeal

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 28-366

Implementing statutes: A.R.S. §§ 28-1091 through 28-1100; 28-1103 through 28-1107; 28-1141 through 28-1149; 28-7045

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 7 A.A.R. 68, January 5, 2001 (superseded)

Notice of Recodification: 7 A.A.R. 3479, August 10, 2001

Notice of Rulemaking Docket Opening: 7 A.A.R. 3682, August 24, 2001

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: George R. Pavia, Department Rules Supervisor

Address: Administrative Rules Unit
Department of Transportation, Mail Drop 507M
3737 N. 7th Street, Suite 160
Phoenix, AZ 85014-5079

Arizona Administrative Register
Notices of Proposed Rulemaking

Telephone: (602) 712-8446
Fax: (602) 241-1624
E-mail: gpavia@dot.state.az.us

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters at www.dot.state.az.us/about/rules.

5. An explanation of the rule, including the agency's reasons for initiating the rule:

The agency proposes to rewrite the entire body of overdimensional permits rules. This notice constitutes repeal of the old (existing) rules. Due to the number and length of rules being repealed, this action is undertaken separately. The proposed new rules appear in a companion Notice of Proposed Rulemaking.

The agency has recodified the entirety of 17 A.A.C. The original rule numbering scheme of these rules to be repealed as they appeared in 17 A.A.C. 4 and in the Notice of Rulemaking Docket Opening was a range from R17-4-406 through R17-4-427. In the recodification project, the Department determined to renumber the rules marked for repeal according to the numbering scheme in item #1 of this notice. The new rules will be written as a separate Chapter (6) of 17 A.A.C.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

An economic statement will be included in the package of proposed new overdimensional permits rules. Since repeal of old rules is less regulatory, the rulemaking action of this package is exempt from the economic impact statement requirements under A.R.S. § 41-1055(D)(3).

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Not applicable

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

No hearing is scheduled for this repeal action. A public hearing will be scheduled in conjunction with the new proposed overdimensional permits rules when published.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

None

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 17. TRANSPORTATION

CHAPTER 4. DEPARTMENT OF TRANSPORTATION

TITLE, REGISTRATION, AND DRIVER LICENSES

ARTICLE 4. DRIVER LICENSES

Section

R17-4-450.	Width of Vehicles/Vehicle Loads <u>Repealed</u>
R17-4-451.	Class of permits <u>Repealed</u>
R17-4-452.	Applications for permits <u>Repealed</u>
Appendix D.	Additional Fees for Class C Permits <u>Repealed</u>
R17-4-453.	Maximum permitted weights <u>Repealed</u>

Arizona Administrative Register
Notices of Proposed Rulemaking

- Appendix B. Arizona Department of Transportation Structures Section Repealed
R17-4-454. House moving regulations Repealed
R17-4-455. Escort vehicles Repealed
Appendix C. Sign Specifications for Oversize Loads and Escort Vehicles Repealed
Appendix E. Table of Restricted Routes and Escort Requirements Repealed
Appendix E. Escort Requirements for Class A Permits Repealed
R17-4-456. Restrictions Repealed
R17-4-457. Enforcement and Liability Repealed
R17-4-458. Envelope Permit Point System Repealed
R17-4-459. Private carrier manifests Repealed
R17-4-460. Mobile home—highway 93 restrictions Repealed
R17-4-461. Definition of agricultural products Repealed
R17-4-462. Mobile homes—prepaid oversize permits Repealed
R17-4-463. Oversize permits—round trip authority Repealed
R17-4-464. Overheight permits Repealed
R17-4-465. Multiple trailer combination permits Repealed
R17-4-466. Movement of a vehicle laden with watercraft; special permit Repealed
Appendix A. Sign Specifications for Oversize Loads Repealed
R17-4-467. Weight Restrictions on Mexican-Hay Lake Road Repealed

ARTICLE 4. DRIVER LICENSES

R17-4-450. Width of Vehicles/Vehicle Loads Repealed

- A.** Definitions:
1. "Load" means a material or commodity haul which is 1 piece, nonreducible, which cannot be easily dismantled or divided.
 2. "State Highway" means designated by the Transportation Board and maintained by the state.
- B.** All Arizona State Highways shall be open to 102" wide Vehicles and/or Vehicle loads EXCEPT those shown on Appendix A.
- C.** Those Arizona State Highways that have a maximum 96" wide vehicle and/or vehicle load capacity are shown in Appendix A.
- D.** Permits:
1. Vehicles and/or loads not to exceed 102" in width are exempt from over-width permits and shall operate on all Interstate highways and state routes EXCEPT those shown on Appendix A.
 2. The right to use county highways or city streets is neither granted nor implied. Permits for use of other than state routes designed on the permit shall be obtained from the proper local authority.
 3. A Special Excess Width Permit may be granted under the authority of A.R.S. §§ 28-1002(E) and 28-1011 by the Director.
 4. Other required permits, i.e., Watercraft, Mobile Homes, Overweight, Over Height, and Multiple trailer combinations are governed by rule in this Article.

R17-4-451. Class of permits Repealed

- A.** Class A. Permits for overdimensional and overweight loads within standard guidelines of 14 feet wide, 16 feet in height, 120 feet overall length and 250,000 pounds gross combined weight. A permit may be issued for a single trip and 1 load or for multiple trips of specified fixed loads not to exceed 30 calendar days.
- B.** Class B. Permits for multiple trips of specified or fixed loads not to exceed 1 full year and not exceeding the following guidelines—80 feet long, 12 feet, 6 inches wide, 14 feet, 8 inches height, legal axle weight and legal vehicle weight except mobile cranes and drill rigs.
- C.** Class C. Overdimensional and overweight exceeding the dimensional and/or weight limits of other classes or permits. Class C permits will be issued for single trips only.
- D.** Class D. Permits for multiple trips for mobile cranes and similar speciality equipment for periods not to exceed 1 full year. Class D permits will be limited to vehicles designed for over-the-road use such as cranes, drill rigs, concrete pump trucks, etc., and are subject to the requirements of Class A permits for size and weight. Vehicles which do not conform to this class may be permitted under Class C. Vehicles may obtain a Class A permit for a single trip or for multiple trips not to exceed 30 days when in conformance to size and weight limits of a Class A permit. Vehicles exceeding the limits of a Class A or Class D permit may be permitted under Class C.
- E.** Class E. Permits for vehicles may be issued for annual periods encompassing areas as authorized in A.R.S. § 28-1011(M).

R17-4-452. Applications for permits Repealed

- A.** Application for Class A and Class B permits.

Arizona Administrative Register
Notices of Proposed Rulemaking

1. Applications shall be made on a form prescribed by the Department and signed by the carrier or its authorized agent. All applications and permits must be in writing, except for those applications accepted by Transceiver or by Western Union.
 2. Permit applications for vehicles subject to registration will be approved only when such vehicles are properly registered with the Motor Vehicle Division in accordance with the applicable laws of this state.
 3. Class A overdimensional and overweight 30-day permits may be issued for movements upon state and federal highways as long as the load is specifically described and the same vehicle or vehicles required to make the move are used.
- B.** Governmental agencies. Annual permits may be issued to cities, towns, counties, states, and federal agencies.
- C.** Application for Class C permits.
1. The costs associated with the Department's review of Class C permit applications shall be borne by the applicant in accordance with Appendix D.
 2. All applications for Class C permits shall be made in writing to the Assistant State Engineer Maintenance for approval or disapproval. Any costs associated with the Department's review of the permit application shall be borne by the applicant.
 3. An applicant desiring to move any vehicle which exceeds the weight established in R17-4-409 shall make application for a Class C permit in accordance with R17-4-408(C). If requested, the applicant shall present to the Department an engineering analysis from an engineer, licensed to practice in the state of Arizona, as may be required to indicate to the satisfaction of the Department that no damage will occur from overstressing of bridges, pavement or other state property involved in the movement of the permit vehicle and load.
 4. The application for Class C overweight permits shall be accompanied by drawings clearly showing the vehicle, axle spacings, axle weights, vehicle length, height, width, width out to outside of axles, tire sizes and number of tires per axle, payload weight, tare weights, loaded position of payload. The application shall also include a detailed description of the route or a suitable map showing the route desired to be used clearly marked.
 5. It is the intent of these rules that, for repetitive movements of Class C permit vehicles, the initial approval by the Assistant State Engineer for Maintenance may be applicable to subsequent single trip movements of similar size and weight vehicles providing routing and highway conditions remain the same. This extended approval may be withdrawn at anytime by the Department upon notice in writing.
- D.** Mobile cranes and drill rigs — Class D permits only.
1. Cranes, drill rigs, and similar speciality equipment shall be subject to the same weighing procedures as required for commercial vehicles.
 2. Before a permit can be issued for movement of a mobile crane or drill rig, the applicant shall weigh the unit at a certified public scale and submit to the permit supervisor, a report on a form supplied by the Department. The report shall describe in detail the unit so weighed and measured, and shall show the length, height, and weight of the unit, and shall list the equipment to be included or excluded, such as counterweights, outriggers, boom position, position of boom dolly, etc.
 3. The weighing and measuring of the unit will be made only when the unit is set for highway travel.
 4. Conformance to the permitted weight, measurements, and equipment included or excluded for the movement of each unit under a permit is the sole responsibility of the applicant.
 5. Mobile cranes, drill rigs, and similar speciality equipment may be issued annual permits for movement over state and federal highways, with prior certification by the Department. Annual permits will only be issued when the mobile crane is registered and is moved in compliance with the certificate approved by the Department. Documentation and procedure for obtaining the certificate shall include the following:
 - a. The owner of the crane or drill rig shall submit to the permit supervisor a report including an appropriate drawing of the vehicle which clearly shows axle spacings, axle weights, dimensions of length, width, and height of vehicle, a table of loads supplied by the manufacturer listing component and total weights. The owner's report shall include a list of equipment to be included or excluded such as counter weights, outriggers, boom position, etc., and a current photograph of the vehicle equipped ready to travel. The applicant shall also include in his submittal a tabulation of individual axle weights from a certified public scale. If such a scale is not available, the Department may weigh the vehicle using portable equipment.
 - b. Officers of the Motor Vehicle Division Enforcement Section may conduct an investigation to determine the accuracy of all information submitted in subsection (D)(5)(a).
 - c. Annual permits for all certified vehicles which can be safely operated on state routes and federal highways, subject to specific bridge or route restrictions, may be issued. Bridge or route restrictions may vary during the life of the permit due to changes in bridge and highway conditions.
 6. Conformance to all the permit restrictions and vehicle certification is the sole responsibility of the applicant. Violation of the annual permit in size, weight, length, height, changing the boom position, dolly or trailer position, or any restriction stated on the permit will void the annual permit and no fee for the annual permit or a portion thereof will be refunded. Annual permits are nontransferable and non-refundable.

Arizona Administrative Register
Notices of Proposed Rulemaking

Appendix D. Additional Fees for Class C Permits Repealed

OBJECTIVE:

As authorized by Arizona Revised Statutes, the Department will collect additional fees to cover all or part of the cost of review and analysis of requests for overdimensional and overweight load permits. It is therefore the intent of the Department to collect a flat rate fee for vehicles as described below in order to recover a substantial amount of the cost of processing the permit. In addition, for those load movements of extraordinary size and weight, the Department will collect all costs of review and analysis.

FLAT RATE FEES:

- (1) There is no additional fee for overdimensional and/or overweight vehicles moving under Class C permit procedures, but not exceeding Class A dimensional and weight limits.
- (2) For overdimensional vehicles up to and including 18 feet in width and/or 18 feet in height — \$15.
- (3) For overdimensional vehicles exceeding 18 feet in width or height — \$25.
- (4) For all overweight vehicles exceeding 500,000 pounds gross vehicle weight — \$100.
- (5) For all overweight vehicles which exceed the axle group weights of Appendix B by more than 25% — \$100.
- (6) For overweight vehicles exceeding below listed gross vehicle weight and routed across 1 or more of the following bridges — \$100 each bridge:
- (7) The above listed fees are to be paid in addition to the normal permit fee. In cases where the vehicle is both overdimensional and overweight, the overdimensional fee will be waived. Items (4), (5), and (6) will not be applied in combination; only 1 category will apply.

DIRECT COST FEE:

For overdimensional and/or overweight movements that will require special engineering studies and analysis in terms of bridge stress analysis, routing, and traffic control, a direct cost fee will be charged for Department services. This category will include all movements that require any special modification to the highway system to accommodate the overdimensional and/or overweight vehicle. Such analysis and studies will be assigned an administrative job number to document all costs incurred by the Department in terms of employee salary, computer time charges, travel and equipment expenses which will be charged to the applicant. The applicant will be required to post a minimum of a \$1,000 cash bond to insure complete payment of the direct cost fee. The bond will be refunded upon completion of the study and payment in full of the direct cost fee.

REPEAT LOADS:

Any applicant who has been granted a Class C permit for an equal size and/or weight vehicle within a previous 12 month period in which an additional fee has been paid, will not be required to pay the additional Class C permit fee. In all cases, the Department will utilize past permit records of all applicants in order to reduce review time periods and direct costs where such records are applicable.

R17-4-453. Maximum permitted weights Repealed

A. All State routes — Class A permits:

1. A Class A permit may be issued for single axles or combination of 2 or more consecutive axles that do not exceed the weights tabulated in Appendix B. Single axles, as defined in A.R.S. § 28-1008(B), are limited to 28,000 pounds. In accordance with Appendix B, an increase in weight may be allowed if the axle is wider than 8 feet and has more than 4 tires.
2. Subject to the single axle limitation, the total gross weight with load imposed upon the highway by any 1 group of 2 or more consecutive axles of a vehicle or combination of vehicles shall not exceed the gross weight given for the respective distance between the first and last axle of the group of axles measured longitudinally as set forth in the table in Appendix B.
3. Permit vehicles will not be allowed to cross any structure designated as not capable of permit overloads.
4. The load shall be placed on the vehicle so as to ensure that the above limits are not exceeded on any single axle or axle groups.
5. If there is reasonable doubt about the weights shown on the application, the permit supervisor shall require the load to be weighed by a certified weighmaster prior to the issuance of the permit. The permit supervisor may issue a permit to travel to the nearest certified scale.
6. Any falsification of weights shall be due cause for rejection of the permit or the revocation of a permit already granted.

B. All State routes — Class C permits:

1. A Class C permit may be issued for vehicles that exceed the weight limitations set forth in R17-4-409(A).
2. Class C permit vehicle weight is not explicitly limited within the scope of these rules; however, pavement stress and bridge capacities will be the determining factor for the maximum permitted weight.

C. All State routes — Class D permits:

1. Overweight mobile cranes and drill rigs under a Class D permit shall be controlled by the weight tables as specified in R17-4-409(A)(1) and (2).
2. Mobile cranes or drill rigs having an axle whose suspension is dependent on pneumatic or hydraulic devices to carry any part of its weight shall not exceed the weights specified in R17-4-409(A)(1) and/or (A)(2).

Arizona Administrative Register
Notices of Proposed Rulemaking

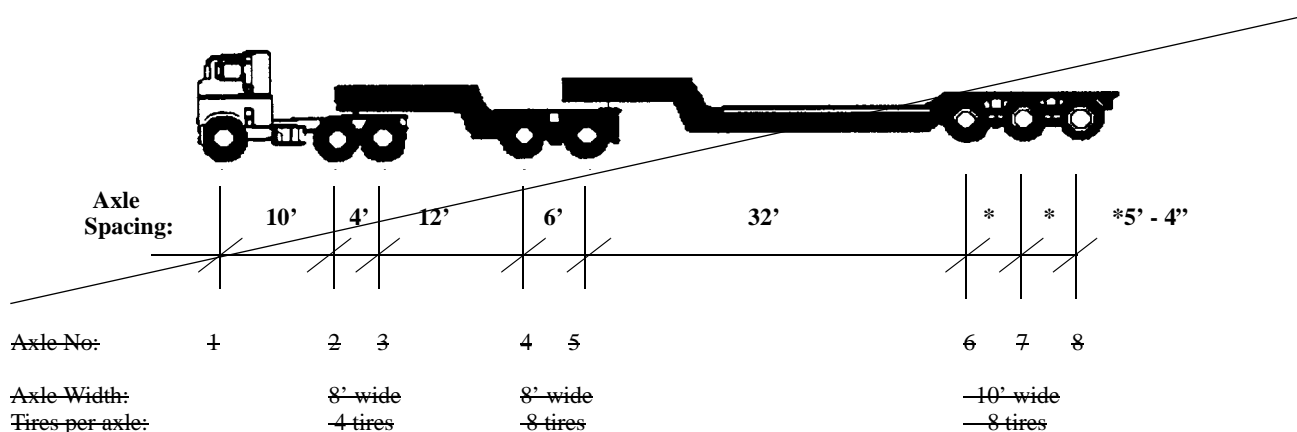
APPENDIX B
ARIZONA DEPARTMENT OF TRANSPORTATION
STRUCTURES SECTION
OVERWEIGHT AXLE GROUP CHART

FT—IN	0	1	2	3	4	5	6	7	8	9	10	11
3	28,000 32,200 35,000	28,000 32,200 35,000	28,000 32,200 35,000	28,000 32,200 35,000	28,000 32,200 35,000	28,000 32,200 35,000	45,475 52,200 57,094	45,762 52,626 57,203	45,850 52,729 57,313	45,025 52,828 57,422	46,025 52,928 57,531	46,113 53,020 57,641
4	46,200 53,130 57,750	46,287 53,230 57,859	46,375 53,332 57,859	46,462 53,432 58,078	46,550 53,532 58,187	46,638 53,634 58,297	46,725 53,734 58,406	46,812 53,834 58,515	46,900 53,935 58,625	46,987 54,036 58,734	47,075 54,136 58,843	47,163 54,237 58,954
5	47,250 54,338 59,062	47,337 54,438 59,171	47,425 54,539 59,282	47,512 54,639 59,391	47,600 54,740 59,500	47,688 54,841 59,610	47,775 54,942 59,719	47,862 55,041 59,828	47,950 55,143 59,938	48,037 55,243 60,047	48,125 55,343 60,156	48,213 55,445 60,266
6	48,300 55,545 60,375	48,387 55,645 60,484	48,475 55,747 60,594	48,562 55,847 60,703	48,650 55,947 60,812	48,738 56,049 60,922	48,825 56,149 61,031	48,912 56,249 61,140	49,000 56,350 61,250	49,087 56,451 61,359	49,174 56,551 61,468	49,263 56,652 61,579
7	49,350 56,752 61,687	49,437 56,853 61,796	49,525 56,954 61,907	49,612 57,054 62,016	49,700 57,155 62,125	49,788 57,256 62,235	49,875 57,356 62,344	49,962 57,456 62,453	50,050 57,558 62,563	50,137 57,658 62,672	50,225 57,758 62,781	50,313 57,860 62,891
8	50,400 57,960 63,000	50,487 58,060 63,109	50,575 58,162 63,219	50,662 58,262 63,328	50,750 58,362 63,437	50,838 58,464 63,547	50,925 58,564 63,656	51,012 58,664 63,765	51,100 58,765 63,875	51,187 58,865 63,984	51,275 58,966 64,093	51,363 59,067 64,204
9	51,450 59,168 64,312	51,537 59,268 64,421	51,625 59,369 64,532	51,712 59,469 64,641	51,800 59,570 64,750	51,888 59,671 64,860	51,975 59,771 64,969	52,062 59,871 65,078	52,150 59,973 65,188	52,238 60,073 65,297	52,325 60,173 65,406	52,413 60,275 65,516
10	52,500 60,375 65,635	52,587 60,475 65,734	52,675 60,577 65,844	52,762 60,677 65,953	52,850 60,777 66,062	52,938 60,879 66,172	53,025 60,979 66,281	53,112 61,079 66,390	53,200 61,180 66,500	53,288 61,281 66,609	53,375 61,381 66,718	53,465 61,482 66,829
11	53,550 61,583 66,938	53,637 61,683 67,046	53,725 61,784 67,157	53,812 61,884 67,266	53,900 61,985 67,375	53,988 62,086 67,485	54,075 62,186 67,594	54,162 62,286 67,703	54,250 62,388 67,813	54,338 62,488 67,922	54,425 62,588 68,031	54,513 62,690 68,141
12	54,600 62,790 68,250	54,687 62,890 68,359	54,775 62,992 68,469	54,862 63,092 68,578	54,950 63,192 68,687	55,038 63,294 68,797	55,125 63,394 68,906	55,212 63,494 69,015	55,300 63,595 69,125	55,388 63,696 69,234	55,475 63,796 69,343	55,563 63,897 69,454
13	55,650 63,998 69,562	55,737 64,098 69,671	55,825 64,199 69,782	55,912 64,299 69,891	56,000 64,400 70,000	56,088 64,501 70,110	56,175 64,601 70,219	56,262 64,701 70,328	56,350 64,803 70,438	56,438 64,903 70,547	56,525 65,003 70,656	56,613 65,105 70,766
14	56,700 65,205 70,875	56,787 65,305 70,984	56,875 65,407 71,094	56,962 65,507 71,203	57,050 65,607 71,312	57,138 65,709 71,422	57,225 65,809 71,531	57,312 65,909 71,640	57,400 66,010 71,750	57,488 66,111 71,859	57,575 66,211 71,968	57,663 66,312 72,079
15	57,750 66,412 72,188	57,837 66,513 72,296	57,925 66,614 72,407	58,012 66,714 72,516	58,100 66,815 72,625	58,188 66,916 72,735	58,275 67,016 72,844	58,362 67,116 72,953	58,450 67,218 73,063	58,538 67,318 73,172	58,625 67,418 73,281	58,713 67,520 73,391
16	58,800 67,620 73,500	58,887 67,720 73,609	58,975 67,822 73,719	59,062 67,922 73,828	59,150 68,022 73,937	59,238 68,124 74,047	59,325 68,224 74,156	59,412 68,324 74,265	59,500 68,425 74,375	59,588 68,526 74,484	59,675 68,626 74,593	59,763 68,727 74,704
17	59,850 68,828 74,812	59,937 68,928 74,921	60,025 69,029 75,032	60,112 69,129 75,141	60,200 69,230 75,250	60,288 69,331 75,360	60,375 69,431 75,469	60,462 69,531 75,578	60,550 69,633 75,688	60,638 69,733 75,797	60,725 69,833 75,906	60,813 69,935 76,016
18	60,900 70,035 76,125	EFFECTIVE DATE _____ APPROVED: _____ Assistant State Engineer—Structures										

APPENDIX B
ARIZONA DEPARTMENT OF TRANSPORTATION
STRUCTURES SECTION

INSTRUCTIONS FOR USE OF OVERWEIGHT AXLE GROUP CHART

The axle group weights shown on the table are maximum weights allowed on any combination of axles within the distance between the front and rear axle of a given group up to a maximum of 18 feet. The table is an expansion of the formula, $W = 1.5 \times 700 (L + 40)$ where L is the distance between front and rear axles of a group. For each spacing given there are 3 tabulated weights, the top value is the expansion of the above formula, the second value is W plus 15%, and the bottom figure is W plus 25%. For axles conventionally equipped, i.e. 4 tires in dual configuration, 8 feet out to out, the top value governs. For axles equipped with 8 tires and 8 feet in width, a 15% increase in weight is allowed and the middle tabulated weight governs. For axles having 8 tires and at least 10 feet out to out of tires a 25% increase in weight is allowed and the bottom tabulated weight governs. Axles of at least 10 feet in width and equipped with 4 or more 14 inch or wider over-size tires will be allowed a 25% increase in weight over the above formula. Axles of at least 10 feet in width and equipped with 2 or more 14 inch or wider oversize tires will be allowed a 15% increase in weight over the above formula.



Axle 1 limited to 28,000 lbs for single along
Axle 2 + 3 L = 4' W = 46,200 lbs (for the tandem alone)
Axle 1 + 2 + 3 L = 14' W = 56,700 lbs (for the group)
Axle 4 + 5 L = 6' W = 55,545 lbs (15% increase for 8 tires)
Axle 2 + 3 + 4 L = 16' W = $(2/3 \times 58,800) + (1/2 \times 67,620) = 61,740$ lbs
Axle 3 + 4 + 5 L = 18' W = $(1/3 \times 60,900) + (2/3 \times 70,035) = 66,990$ lbs
Axle 3 + 4 L = 12' W = $(1/2 \times 54,600) + (1/2 \times 62,790) = 58,695$ lbs
Axle 6 + 7 + 8 L = 10' 8\" W = 66,500 (25% increase for 10' wide, 8 tires)

Note that each possible axle group which can exist within a 18 foot distance must be reviewed. Axles of different configurations of width or number of tires must be prorated within the total group load in determining any allowed increase over the basic formula weight.

R17-4-454. House moving regulations Repealed

A. All State routes — Class A permits:

1. Mobile homes, modular structures (units), prefab structures or other off site manufactured buildings shall be permitted to be transported on approved state routes under a Class A permit when modular structures (units) having a measured box width not to exceed 14 feet and having an eave of not more than 2 feet if the eave is to the right side (curb side). Mobile homes subject to A.R.S. § 28-1011(J) shall be moved under single trip permits only.
2. Class A permits may be issued for the movement of buildings or structures being relocated from a previous permanent location providing the unit does not exceed the dimension limitations of subsection (A)(1).
3. Houses and structures being moved under a Class A permit are exempted from any escort vehicle requirements, except as provided for in R17-4-411(D).

B. All State routes — Class C permits:

1. Mobile homes, modular structures (units), prefab structures or other off site manufactured buildings exceeding 14 feet wide or having more than a 2 foot eave curb side may be permitted to be transported on state routes under a Class C permit.

Arizona Administrative Register
Notices of Proposed Rulemaking

2. The issuance of Class C permits for the movement of buildings or structures being relocated from a previous permanent location and exceeding the dimensions specified in R17-4-410(A)(1) shall be subject to a detailed analysis which may include consideration of the following factors:
 - a. The size and type of building to be moved.
 - b. The method to be utilized in making the move.
 - c. The route traveled from origin to destination.
 - d. The distance of the move.
3. Each application will be considered on its own merit. In each instance, the interruption of normal traffic movement, the safety of the public, the necessity of keeping the highway open for emergency vehicles, and the possibility of damage to the highway or highway facilities, will be pertinent items of consideration, any of which may be a deciding factor as to whether a permit will be issued or, should a permit be issued, the conditions of operation to be imposed upon the applicant.
4. Houses and structures being moved under Class C permits may require escorts and/or special traffic control as determined by an engineering review. Where the width of the highway is such that traffic cannot move in any direction, the applicant shall not tie up traffic in any direction more than 5 minutes. If it becomes necessary, because of a narrow bridge or other highway feature, to temporarily block the passing lane, the applicant shall use extreme caution in flagging traffic. After passing the structure, the load shall be immediately moved to the extreme right hand side of the roadway and proceed as provided herein.

C. General house moving requirements.

1. Permits to move buildings and structures will be issued only when the vehicles are properly registered and are suitable for the purpose of moving buildings and structures, and every permit issued shall contain the following restrictions:
 - a. No permit to move any building or structure shall be granted to any applicant other than to a bona fide owner of such building or structure, unless the applicant is properly licensed as required by law.
 - b. The owner shall be required to furnish satisfactory evidence of financial responsibility.
2. Where a permit is issued to move any buildings or structure or any part thereof over a state highway, the permit shall contain the conditions under which the load shall be moved. Upon all roadways, any overwidth vehicle shall be driven in the right hand lane then available for traffic or as close as practicable to the right hand curb or edge of the roadway except when overtaking and passing another vehicle proceeding in the same direction or when preparing for a left turn at an intersection or into a private road or driveway.
3. Upon completion of the move, all timbers and equipment shall be removed from the highway right of way and the highway and related facilities restored to original condition with the applicant required to pay the cost of any repair to restore to original condition.
4. The permittee shall notify the appropriate utility company of all overhead lines subject to disturbance or damage by the moving operation and shall be responsible for the restoration of overhead lines disturbed or damaged.
5. Permits issued for moving buildings or structures, in addition to those contained herein, are subject to all regulations for permits for excessive size and weight of vehicles and loads.
6. Rigid material, or 1.5 mil plastic sheathing or stronger, backed by a rigid grillwork not exceeding a square of 4 feet to prevent billowing, must fully enclose open sides of sections in transit.
7. Prior to the issuance of a permit to move a mobile home, the applicant shall comply with A.R.S. § 28-1011(J). In addition, all manufactured homes shall bear the seal of approval of the Arizona Office of Manufactured Housing or a U.S. Housing and Urban Development Seal of approval as defined by A.R.S. § 32-1172, paragraph 2.
8. Towing vehicles having a 1 1/2 ton factory rating may be used to tow mobile homes not exceeding 10 feet in width and 50 feet in length inclusive of hitch. Vehicles towing mobile homes in excess of 10 feet in width and 50 feet in length inclusive of hitch shall have a minimum factory rating of 2 tons with at least 4 tires on each drive axle and a minimum wheel base of 99 inches. This Section shall not apply to mobile homes not exceeding 8 feet in width as defined in R17-4-406(B)(4).

R17-4-455. Escort vehicles Repealed

A. Equipment requirements:

1. Size of vehicles: Escort vehicles must be a passenger car or 2-axle truck not exceeding 20,000 pounds GVW and be capable of displaying warning devices as set forth in Appendix C.
2. Flags and signs: The vehicle shall display red flags 12 inches square on all corners of the vehicle and display an "OVERSIZE LOAD" sign facing traffic approaching the load being escorted.
3. Warning lights: Warning lights are required and must be in accordance with A.R.S. § 28-947(D).
4. Radio equipment: Each vehicle shall be equipped with a 2-way radio capable of transmitting and receiving voice messages over a minimum distance of 1/2 mile and be compatible with 2-way radios in accompanying escort and towing vehicles. Radios and operators shall have all necessary approvals and licensing required by the Federal Com-

Arizona Administrative Register
Notices of Proposed Rulemaking

munications Commission. Radios designed for use under Federal Communication Commission rules, Part 15, Subpart E are not acceptable.

5. Emergency equipment: Escort vehicles shall carry a minimum of 8 flares, a first-aid kit and 2 red flags 12 inches square on a staff. The first-aid kit shall conform to the federal Motor Carriers Safety Regulations, paragraph 393.96, or as amended.

B. Vehicle operation:

1. Escort vehicles shall have their headlights and warning lights on and operating at all times when in service.
2. When an escort vehicle is operated as a pilot vehicle (preceding an oversize load vehicle or a vehicle towing an oversize load) or operated as a rear escort vehicle (following an oversize load vehicle or a vehicle towing an oversize load) a distance of 1,000 feet shall be maintained between such load and the escort vehicle, except where visual contact with an escorted load cannot be maintained.
3. Within a city or town, the distance set forth in this subsection shall not be less than 100 feet nor more than 250 feet from the escorted load.
4. When traveling on a route where traffic signals control the movement of traffic, if an escort vehicle passes through an intersection and the load being escorted is required to stop, the escort vehicle will stop as soon as possible at the right-hand side of the road when the stop can be done in safety and not resume until the escorted load approaches to the required distance from the escorted vehicle. When the escort vehicle following an escorted load is required to stop at an intersection, the escorted load shall proceed in the same direction as planned and the escort shall resume its normal distance behind the escorted load as soon as possible after being allowed to proceed through the intersection.

C. Oversize load signs:

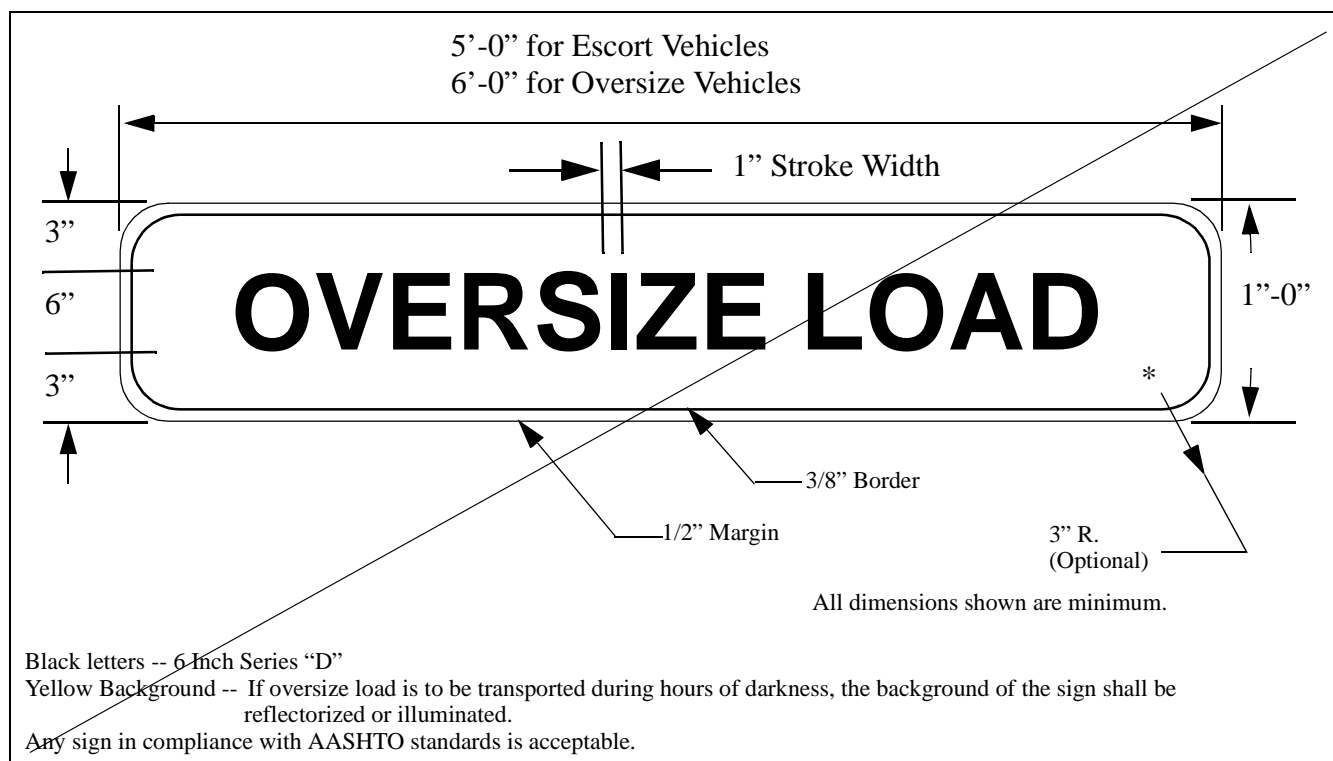
1. Whenever in these rules an "OVERSIZE LOAD" sign is required, it shall comply with the sign specifications shown in Appendix C of these rules, except signs from other states are acceptable when in compliance with AASHTO standards.
2. On the vehicle or vehicle combinations upon which the oversize load is loaded, the signs shall be mounted on the forward-most part of the towing vehicle and the rear-most part of the load or vehicle on which the load is loaded in such a manner as to be clearly visible.
3. If a permit is issued for movement of a self-propelled oversize vehicle, the oversize load signs shall be mounted in the same manner as required in subsection (C)(2).
4. On escort vehicles the sign shall be mounted securely to the vehicle at least 5 feet above the pavement level, facing approaching traffic.
5. Oversize load signs shall be removed or entirely covered when not in use.

D. Escort requirements:

1. Overdimensional and/or overweight vehicles being moved under a Class A or Class B permit are, in general, exempt from any escort vehicle requirements, except for those state routes where roadway width or other conditions do not allow for safe movement. Escort requirements for restricted state routes are to comply with Appendix E.
2. Overdimensional and/or overweight vehicles being moved under Class C permits may require 1 or more escort vehicles. Escort requirements will be evaluated on a case by case basis and will be established by road width and condition, size of load, and other applicable features.
3. Vehicles being moved under Class D permits may require escorts as determined by the requirements and procedures of R17-4-408(D).

Arizona Administrative Register
Notices of Proposed Rulemaking

~~APPENDIX C~~
~~SIGN SPECIFICATIONS FOR OVERSIZE LOADS AND ESCORT VEHICLES~~



Arizona Administrative Register
Notices of Proposed Rulemaking

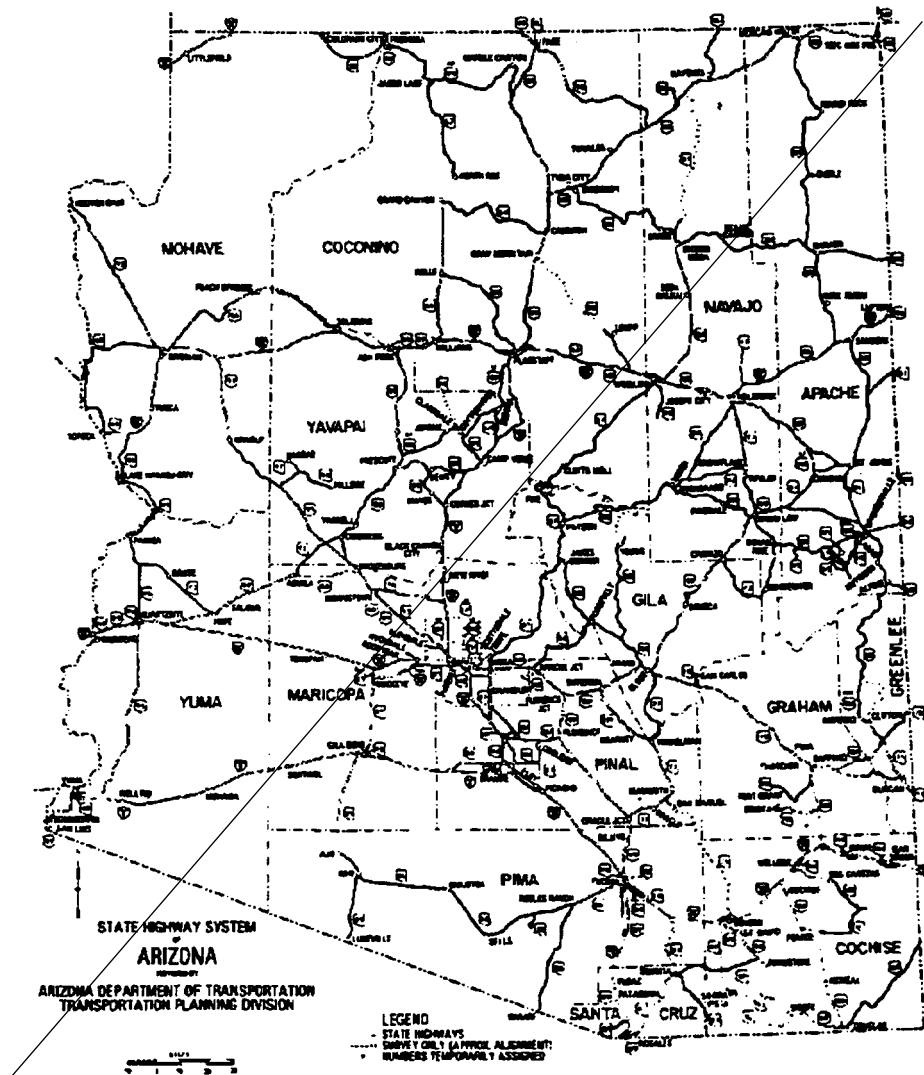
APPENDIX E
TABLE OF RESTRICTED ROUTES AND ESCORT REQUIREMENTS

ROUTE	FROM	TO	AT AND OVER A WIDTH OF	ESCORT—SPECIAL CONDITIONS
US-60	Jet SR-61	Jet US-180	12	F/R
US-61	Jet US-60	Jet US-180	12	F/R
SR-61	Jet US-191	State Line	10	F/R
SR-64	Milepost 237.1	Jet US-89	12	F/R
US-66	Jet I-40 (West Flagstaff Traffic Interchange)	Jet US-89	12	F/R
SR-67	Jet US-A89	North Rim	10	F/R
SR-68	Jet SR-95	MP 14	12	F/R
SR-71	Jet US-60	Jet US-89	12	F/R
SR-72	Jet SR-95	Jet US-60	12	F/R
SR-73	Jet US-60	Jet Fort Apache Road	10	F/R
SR-77	Winkelman	Jet US-70	12	F/R
SR-77	Show Low	Holbrook	12	F/R
SR-78	Jet SR-75 and US-191	State Line	12	F/R
US-80	Douglas	State Line	12	F/R
SR-82	Sonoita	Jet US-80	12	F/R
SR-83	Sonoita	Route End	10	F/R
SR-85	International Boundary	Ajo	12	F/R
SR-86	Why (Jet SR-85)	Jet SR-286	12	F/R
SR-87	MP 117.85 (McDowell)	Winslow	12	F/R
SR-88	Jet US-60 (Apache Jet)	MP 242.04 (Roosevelt)	(Over Legal)	See Note #1
SR-88	MP 242.04 (Roosevelt)	Jet US-60 (Miami)	12	F/R
US-89	Jet US-93	Jet SR-69 (Prescott)	12	F/R
US-A89	Jet US-89 (Prescott)	Jet SR-179 (Sedona)	12	F/R
US-A89	Jet SR-179 (Sedona)	Flagstaff	10	F/R
US-A89	Jet US (Bitter Springs)	Jacob Lake	(Legal Only)	See Note #1
US-A89	Jacob Lake	Fredonia	12	F/R
US-93	Hoover Dam	MP 1.02	10	F/R
US-93	Wikieup	Jet SR-97	12	F/R
SR-95	Quartzsite	MP 148.02	12	F/R
SR-95	MP 148.02	MP 154.88	10	F/R
SR-95	Topock	Needles Bridge Road	12	F/R
SR-96	Jet SR-97	Hillside	10	F/R
US-163	Jet US-160 (Kayenta)	State Line	12	F/R
SR-170	Jet US-70	Route End	12	F/R
SR-179	Jet Interstate 17	Sedona	12	F/R
US-180	Jet SR-64	Flagstaff	12	F/R
US-180	Jet US-60 (Springerville)	Jet US-191 (Alpine)	12	F/R
SR-181	Jet US-191	Chiricahua Nat'l Monument	12	F/R
SR-186	Dos Cabezas (MP 342.92)	Jet SR-181	10	F/R
SR-187	Jet 387	Jet SR-87	12	F/R
SR-188	Jet SR-88 (Roosevelt)	MP 255.44	(Legal Only)	See Note #1
SR-188	MP 255.44	Jet SR-87	12	F/R
US-191	Jet Interstate 40	Jet US-160	12	F/R
SR-260	Jet SR-87 (Payson)	Jet SR-277 (Overgaard)	12	F/R
SR-260	Indian Pine (MP 357.47)	Jet US-180	12	F/R
SR-264	Jet US-160	MP 471.29	12	F/R
SR-273	Jet SR-260	Jet SR-260	10	F/R
SR-277	Jet SR-260 (Heber)	Jet SR-77 (Snowflake)	12	F/R
SR-286	International Boundary	Jet SR-86	12	F/R
SR-288	Jet SR-88	Route End (Near Young)	(Legal Only)	See Note #1
SR-289	Jet Interstate 19	Route End	10	F/R
SR-366	MP 115	Route End (Graham Peak)	(Legal Only)	See Note #1
SR-373	Jet SR-260	Route End	12	F/R
SR-377	Jet SR-277	Jet SR-77	12	F/R
SR-386	Jet SR-86	Kitt Peak	10	F/R
SR-473	Jet SR-260	Route End (Hawley Lake)	10	F/R
SR-564	Jet US-160	Route End	12	F/R
US-191	MP 173.18	Jet US-180 (Alpine)	(Legal Only)	See Note #1
US-191	Saint Johns	Jet Interstate 40	12	F/R

Note #1: Movements over legal size and weight will be considered under Class C permits only.

Abbreviations: MP—Milepost; Jet—Junction of Routes; F/R—Escorts at Front and Rear

APPENDIX E
ESCORT REQUIREMENTS FOR CLASS A PERMITS



R17-4-456. Restrictions Repealed

A. Restrictions on use of permits:

1. A permit shall be issued only for "daylight hours" defined in A.R.S. § 28-922 (sunrise to sunset).
2. No permit shall be issued for movement on Saturday, Sunday or on the following national holidays: New Year's, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day. If the above holiday falls on a Monday, the movement shall stop before noon the Friday preceding the national holiday.
3. Permits issued for operation of overweight vehicles whose loads are nonreducible, but which vehicles are capable of traveling at posted speed limits on the route to be followed, or for operation of trucks that do not exceed maximum lawful weight, height or length limitations but upon which is mounted a fixed boom of not more than 7 feet beyond the front of the truck (provided however, the length of the truck and boom do not exceed 40 feet) are exempt from the restrictions of R17-4-412(A)(1) and (2) and R17-4-412(F)(10) and (12).
4. Overweight only vehicles or loads and trailers not over 10 feet in width, or not over 14 feet in height or of not more than 10 feet of rear overhang, may be granted continuous operation with a permit without reference to R17-4-412(A)(1) and (2).
5. Mobile cranes and drill rigs not exceeding 14 feet in height, 11 feet in width, or 10 feet in overhang may be granted continuous operation without reference to R17-4-412(A)(1).

Arizona Administrative Register
Notices of Proposed Rulemaking

6. On permitted loads, no movement will be allowed during snow or icy conditions or any severe weather conditions which might cause such movement to become a hazard to traffic or damage the highways.
7. Each permit shall be issued for a single load over the route designated, from that point of origin to destination, except that when overdimensional unladen equipment is required for the purpose of transporting superheavy or nonreducible commodities, a single trip permit may be issued permitting the movement of unladen overdimensional equipment to pick up a load within the state and transport the load to destination within the state with superheavy or nonreducible commodities. Overdimensional equipment may be permitted to proceed or return to point of origin of movement within the state with a load thereon, provided such load is otherwise within legal limits for weight and dimension. Permits may not be issued to routinely transport legal loads on overwidth trailers.
8. Class C permits may be issued without reference to R17-4-412(A)(1) and (2). Each Class C permit will be evaluated on a case-by-case basis and applicable restrictions will be established by road width and condition, size of load, and any other applicable features.

B. Extensions for permits:

1. If the permittee finds, before or during the period covered by his permit, that the movement cannot be completed during that period, 1 extension of time may be permitted upon request by the permittee.
2. When circumstances arise making necessary a change in vehicles during the time period covered by a permit, a different vehicle may be substituted for the disabled vehicle upon request by the permittee.
3. No change on a permit may be made by telephone except when an emergency exists as determined by the permit supervisor. All changes on permits must be made and signed by an authorized agent except as stated above.

C. Intracity movements. A permit may be issued for movement which is to be made entirely within the limits of any incorporated city, or town, or between adjoining cities or towns and upon which state routes therein are required to be traveled to complete the movement subject to the following provisions:

1. The permit shall not be valid unless the requirements of the cities or towns which are involved are fully met.
2. No movement will be allowed on a state route within such jurisdiction if the move can be made by the use of alternate non-state routes within the city, town or county, if equally feasible.

D. Maximum loads permitted on bridges:

1. A permittee shall not cross a bridge with a load in excess of the posted load limit of such bridge. An applicant (permittee) desiring to use a route involving a posted bridge or bridges shall detour the bridge or bridges by the best available means or shall submit an alternate route for approval.
2. An auxiliary (jeep) axle or axles may be used in combination with a semitrailer unit to increase the gross capacity but the axle group load shall not exceed that set forth in R17-4-409. Such an auxiliary axle shall be properly registered with the Motor Vehicle Division and in combination with a semitrailer may be considered a full trailer for the purpose of operation upon the highway.
3. No permit will be issued under this rule where the movement of overweight vehicles requires crossing bridges that have been identified by the Assistant State Engineer, Structures Section, as bridges restricted to any vehicles that exceed legal or less than legal gross vehicular weights.

E. Speed and operating restrictions:

1. No vehicle or vehicles being operated under the conditions of a permit shall be operated at a speed in excess of that stated on the permit. Maximum allowable speed shall be 55 MPH or the posted limit, whichever is less.
2. The permit supervisor may restrict the speed of any vehicle or vehicles being operated on a permit when it is necessary to restrict operation to specific speeds in order to prevent traffic hazards or damage to the highway.
3. Where specifically noted on the permit, a vehicle or vehicles operating under the conditions of an overweight permit shall make a full stop before entering upon any designated bridge and proceed across the bridge at the speed stated on the permit. No changing of gears will be permitted on bridges, except in emergency situations.
4. Where specifically noted on the permit, no other vehicles shall be allowed on the bridge at the same time as the overweight vehicle or vehicles. An overweight vehicle or vehicles must travel in the center of bridge roadway when so noted on the permit.
5. Flaggers must be provided to stop all traffic to execute the operational requirements for R17-4-412(E)(4) and (5).
6. Every oversize and overweight vehicle shall maintain a minimum distance of 2,000 feet from any other oversize or overweight vehicle traveling in the same direction on the same highway except when passing.

F. General restrictions. When any vehicle or vehicles are being operated under the provisions of an overheight, overwidth or overlength permit, the following applicable restrictions may be shown on the permit:

1. All overwidth vehicles or loads exceeding 9 feet in width shall display "OVERSIZE LOAD" signs.
2. All overwidth loads and vehicles must be flagged with red flags 12 inches square or larger on extremities.
3. All overwidth loads being transported which are over 14 feet wide shall be moved under Class C permits, and escort requirements shall be determined by an analysis of the load, roadway width and other operational conditions.
4. All overlength loads being transported which are over 120 feet in length shall be moved under Class C permits, and escort requirements shall be determined by an analysis of the load, roadway width and other operational conditions.

Arizona Administrative Register
Notices of Proposed Rulemaking

5. All overheight loads being transported which are over 16 feet in height shall be moved under Class C permits, and escort requirements shall be determined by an analysis of the load, roadway width, available vertical clearance and other operational conditions.
6. Overheight vehicles or loads operating under Class A permits shall guard against overhead wires, overhead highway facilities, and detour underpasses as required.
7. All loads or vehicles with an overhang in front or rear must be flagged or lighted as provided by A.R.S. § 28-935.
8. All loads or vehicles with an overhang of 20 feet or more in front require a front escort vehicle.
9. All loads or vehicles with an overhang of 20 feet or more in rear require a follow-up escort vehicle.
10. No oversize or overweight vehicles or loads will be authorized to use Interstate 17, 10, and State Route 360 within the various city limits of the Greater Phoenix area between the hours of 7 to 9 a.m. and 4 to 6 p.m.
11. No overheight vehicles or loads will be authorized to use Interstate 17 mainline through Phoenix between Northern Avenue and 19th Avenue.
12. No oversize or overweight vehicles or loads will be authorized to use Interstate 10 or 19 within the city limits of the Greater Tucson area between the hours of 7 to 9 a.m. and 4 to 6 p.m.
13. Alternate non-state routes shall be predetermined by the established rules and regulations of local authorities.
14. The permit supervisor may impose any additional restrictions to reduce traffic hazards.

G. Projecting loads—Class A permits.

1. Loads which project from the side of hauling equipment (measured at right angles to the longitudinal axis of the hauling equipment) will be limited to a maximum of 3 feet of projection on either side of the hauling equipment, except for loads of less than 12 inches thickness measured vertically which will be limited to 2 feet of projection. Dunnage and blocking will be considered in the overall thickness of the load providing it extends to the full width of the load carried.
2. The hauling vehicle may not be altered by adding flaps or extensions to artificially increase its width in order to increase projection allowed in subsection (G)(1).
3. All bulldozer blades and dozer arms which are more than 14 feet (measured at right angles to the longitudinal axis of the hauling equipment) shall be removed and transported in a manner so that they will create no traffic hazard.
4. Equipment having dozer blades shorter than those described in subsection (G)(3), may be transported under permit without detaching the blade from the tractor provided the dozer blade is firmly supported.
5. Any loads or equipment not meeting the requirements of R17-4-412(G) may be permitted under a Class C permit.

H. Special restrictions—Class A or D permits for mobile cranes and drill rigs.

1. The maximum overall length, including boom, shall not exceed 100 feet.
2. Maximum front boom overhang shall not exceed 30' beyond the foremost part of the front of the vehicle.
3. Extra attachments to the boom for the purpose of transferring load to meet weight requirements shall not be permitted. The standard working load block, hook and cable tension ball assembly, commensurate with the rated capacity of the crane, are considered as working components and will be considered in load transfer. Such components shall be identified in the certification as provided for in R17-4-408(D)(2).
4. Booms suspended forward shall be tied down to the framework or bumper, or otherwise secured, while traveling on any state routes.
5. The maximum rear boom overhang for a boom not supported on a boom dolly or trailer shall not exceed 45' from the rearmost part of the vehicle.
6. The boom shall not exceed 60 feet measured from the center of the boom hinge pin (foot pin) to the center of the head pin (sheave pin).
7. A trailer or dolly will be permitted only when the boom is attached to the crane upper works and is supported on the dolly or trailer.
8. Boom support cables must be slack with full weight of boom on the dolly or trailer.

R17-4-457. Enforcement and liability Repealed

- A. Enforcement.** Permits shall be revoked for misuse. Vehicle and load shall be parked clear of traffic and remain standing until such time as all requirements of these rules are met and a new permit issued prior to resumption of movement. Flagrant violations may cause permittee to have permit privileges suspended, subject to an administrative hearing.
- B. Liability for damage to highways or appurtenances; security for damages.** Any damage done to the highways over which a permitted load is transported, including the roadway surface, signs, markers, railings, guards, delineators, overhead wires, structures and the like shall be paid for by the permittee causing said damage upon demand of the owner of the property damaged. To ensure payment, the Department may require the applicant for a permit to show proof of insurance which will pay for such damage. If no such proof is furnished, a cash deposit or bond in a form approved by the Department, of at least \$1,000.00 shall be required.
- C. Saving the state harmless.** An applicant for a permit under these rules shall agree to hold the Director, the state of Arizona, and any of its departments, divisions, agencies, officers and employees harmless from all sums which the Director, the state of Arizona and any of its departments, divisions, agencies, officers or employees may be obligated to pay by reason

Arizona Administrative Register
Notices of Proposed Rulemaking

of any liability imposed upon any of the above damages arising out of the issuance of a permit under these rules or arising out of any movement made pursuant to the permit or caused by any negligent act or failure to act committed by the permittee or any person employed by the permittee or any others for whose action the permittee is legally liable. The above sums shall also include in the event of litigation, court costs, expenses of litigation and a reasonable attorney's fee.

- D.** Appeal. In the event the granting of a permit under these rules is refused, the applicant shall have the right to appeal to the Director, Arizona Department of Transportation by filing a written petition of appeal setting forth all facts pertaining to such application. Such appeal shall be made within 10 days of the refusal of a permit and shall be heard by the Director as soon thereafter as can be conveniently done.
- E.** Delegation of authority. Be it further resolved that the administration of these rules shall be under the direction of the Director, Arizona Department of Transportation, and may be delegated by him to any Division of the Arizona Department of Transportation that he deems appropriate.

R17-4-458. Envelope Permit Point System Repealed

- A.** The following definitions shall apply to this Section:

1. "Allowable weight" means the weight loading for a specific axle configuration or total weight which is within the limits set forth by rule and statute.
2. "Director" means the Assistant Director of the Arizona Department of Transportation, Motor Vehicle Division, or the Assistant Director's designee.
3. "Established or principal place of business" means an Arizona mailing address at which correspondence from the Director can be received and a physical site within Arizona at which business records are maintained.
4. "Final determination" means the conclusive resolution of the rights of the parties to an action beyond all appeal.
5. "Permitted load" means an overdimensional or overweight vehicle or cargo on the vehicle which is being transported pursuant to an envelope permit.
6. "Permitted speed" means the maximum speed allowed as shown on the envelope permit or 55 miles per hour, whichever is less.
7. "Permittee" means any entity which possesses an envelope permit.
8. "Posted speed" means the maximum speed allowed in a speed zone as designated by a sign within the zone.
9. "Reducible load" means a cargo which can be easily dismantled or divided.
10. "Restricted bridge structure" means a bridge which has been identified by the State Bridge Engineer, Arizona Department of Transportation Intermodal Transportation Division Bridge Group, as restricted to any vehicle that exceeds legal weight pursuant to A.R.S. § 28-1008, 28-1009, or 28-1009.01, or a lesser weight as designated by the State Bridge Engineer.
11. "Restricted highway" means a highway which has been identified by the Assistant State Engineer for Maintenance, Arizona Department of Transportation Intermodal Transportation Division, as restricted to any vehicle that exceeds legal weight pursuant to A.R.S. § 28-1008, 28-1009, or 28-1009.01, or a lesser weight as designated by the Assistant State Engineer.
12. "Violation" means a breach of the law for which a written warning, driver vehicle examination report, or citation is issued by a law enforcement officer and from which a court conviction may or may not result.

- B.** Point system. For the purpose of determining under A.R.S. § 28-1085.03 whether an envelope permit should be suspended or revoked, the following violations are each assigned the following points:

1. Minor violations—1 point:
 - a. Improper or inadequate flagging pursuant to R17-4-411 and R17-4-412,
 - b. Improper or inadequate lighting pursuant to R17-4-411 and R17-4-412,
 - c. Improper or inadequate Oversize Load signs pursuant to R17-4-411 and R17-4-412,
 - d. Failure to remove or cover Oversize Load signs when not in use pursuant to R17-4-411,
 - e. Use of improperly equipped escort vehicle pursuant to R17-4-411,
 - f. Failure to maintain proper distance from another oversize payload pursuant to R17-4-412,
 - g. Escort vehicle not maintaining proper distance pursuant to R17-4-411, and
 - h. Exceeding permitted speed but not exceeding posted speed pursuant to R17-4-412.
2. Major violations—3 points:
 - a. Moving a permitted load on a curfew-restricted highway during curfew hours pursuant to R17-4-412;
 - b. Failure to display flags or lights when required pursuant to R17-4-412 and A.R.S. Title 28, Chapter 6, Article 16;
 - c. Failure to display Oversize Load sign when required pursuant to R17-4-412;
 - d. Exceeding the posted speed limit; and
 - e. Moving a reducible payload with a permit.
3. Weight Violations, 1-36 points:
 - a. Gross vehicle weight exceeds weight as allowed by R17-4-409, A.R.S. § 28-1008, 28-1009, or 28-1009.01:
 - i. Less than 2% over allowable weight—1 point;
 - ii. 2% but less than 4% over allowable weight—2 points;

Arizona Administrative Register
Notices of Proposed Rulemaking

- iii. ~~4% but less than 6% over allowable weight—3 points;~~
- iv. ~~6% but less than 9% over allowable weight—6 points;~~
- v. ~~9% but less than 12% over allowable weight—10 points;~~
- vi. ~~12% but less than 15% over allowable weight—18 points; and~~
- vii. ~~15% or more over allowable weight—36 points.~~
- b. For each axle group exceeding weight as allowed by R17-4-0409, A.R.S. § 28-1008, 28-1009, or 28-1009.01:
 - i. ~~Less than 4% over allowable weight—1 point;~~
 - ii. ~~4% but less than 6% over allowable weight—2 points;~~
 - iii. ~~6% but less than 9% over allowable weight—4 points;~~
 - iv. ~~9% but less than 12% over allowable weight—6 points;~~
 - v. ~~12% but less than 15% over allowable weight—10 points; and~~
 - vi. ~~15% but less than 20% over allowable weight—18 points.~~
 - vi. ~~20% or more over allowable weight—36 points.~~
- 4. ~~Flagrant Violations—36 points:~~
 - a. ~~Moving a permitted load on a highway made hazardous by inclement weather or when use of tire chains is mandatory pursuant to R17-4-412 or by order of a law enforcement agency;~~
 - b. ~~Exceeding oversize limitations of weight (250,000 lbs), width (14 feet), height (16 feet), or length (120 feet);~~
 - c. ~~Falsifying permit application;~~
 - d. ~~Altering permit;~~
 - e. ~~Failure to pay repair cost for damage done to a highway, highway structure, or highway appurtenance pursuant to R17-4-413 and A.R.S. § 28-1013;~~
 - f. ~~Moving a permitted load on a restricted highway or restricted bridge structure; and~~
 - g. ~~Failure to use required escort vehicles pursuant to R17-4-411.~~

C. Enforcement provisions:

- 1. ~~Within 30 days of occurrence, each law enforcement agency shall forward a copy of each written violation of an envelope permit to: Motor Vehicle Division Central Permits, 1801 W. Jefferson, Mail Drop 524M, Phoenix, Arizona 85007-3224.~~
- 2. ~~When a permittee receives 14 or more points within any 12-month period for violation of applicable statutes, ordinances, or rules, the Director shall impose the following sanctions:~~
 - a. ~~One-week suspension for 14-19 points;~~
 - b. ~~Two-week suspension for 20-29 points;~~
 - c. ~~Four-week suspension for 30-35 points; or~~
 - d. ~~Up to 1-year suspension for over 35 points.~~
- 3. ~~If there has been such frequency of violations of statutes, rules, or ordinances as to indicate a flagrant disregard for the law or the safety of the public, the permit shall be revoked for 2 years.~~
- 4. ~~If the permittee does not have an established or principal place of business, the permit shall be revoked.~~
- 5. ~~If the permittee failed or is failing to maintain records that are required to be maintained, the permit shall be revoked.~~
- 6. ~~The permittee shall surrender the permit to the Director within 72 hours after an order of suspension or revocation becomes effective.~~
 - a. ~~Failure to surrender the permit within 5 working days of oral or written demand by the Director shall result in a 1-year suspension of envelope permit privileges in addition to any other penalty assessed.~~
 - b. ~~The Director shall retrieve the permit if the permittee fails to return the permit within the prescribed time.~~
- 7. ~~The permittee shall not be entitled to the issuance of an envelope permit during the period of suspension or revocation.~~

D. Notice of assessment of points; Hearing and Appeal:

- 1. ~~The assessment of points shall be preceded by a notice of intent to assess points. The notice shall be sent by 1st-class mail, postage prepaid, to the address of the permittee as shown on the application for an envelope permit.~~
- 2. ~~The notice shall inform the permittee of the right to hearing on the assessment and the procedure for requesting a hearing.~~
- 3. ~~The permittee may request a hearing within 15 days after date notice was mailed by mailing or delivering a written request to: Executive Hearing Office, Motor Vehicle Division, 1801 West Jefferson, Phoenix, Arizona 85007.~~
- 4. ~~The points assessment shall become effective 25 days after the mailing date of the notice unless a request for hearing is received within 15 days of postmark date of notice.~~
- 5. ~~Hearings, rehearings, and appeals shall be noticed and conducted in accordance with A.R.S. § 41-1061 et seq. and A.A.C. R17-4-901 et seq.~~

E. Notice of Denial, Suspension, and Revocation; Hearing and Appeal:

- 1. ~~A notice and order of suspension or revocation shall be sent by 1st-class mail, postage prepaid, to the address of the permittee as shown on the application.~~

Arizona Administrative Register
Notices of Proposed Rulemaking

2. The notice of suspension or revocation shall require the permittee to appear at a specified time and place to show cause why the envelope permit should not be suspended or revoked.
3. The permittee shall file a response within 15 days after postmark date of notice by mailing or delivering a written response to: Executive Hearing Office, Motor Vehicle Division, 1801 West Jefferson, Phoenix, Arizona 85007.
4. If a response to the notice and order of suspension or revocation is not received by the hearing office within 15 days of postmark date of notice and order, the order of suspension or revocation is final.
5. If the application for a permit is denied, the denial shall be sent by 1st class mail, postage prepaid, to the address of the applicant as shown on the application. The notice of denial shall inform the applicant of the right to a hearing and the procedure for requesting a hearing.
6. Hearings, rehearings, and appeals shall be noticed and conducted in accordance with A.R.S. § 41-1061 et seq. and A.A.C. R17-4-901 et seq.
7. An applicant for an envelope permit who is denied a permit shall be allowed to reapply for an envelope permit. A permittee whose permit is revoked shall be allowed to reapply for an envelope permit after the revocation period has terminated. Upon reapplication, the applicant has the burden of showing by a preponderance of the evidence that the underlying cause for the revocation or denial has been removed.

F. Recordkeeping.

1. The permittee shall retain at place of business: bills of lading, shipping manifests, time cards, or invoices for all payloads moved pursuant to an envelope permit. Each record shall be retained for a period of 3 years from date of document.
2. The retained document shall contain, at a minimum, the following information:
 - a. The date the document was prepared;
 - b. The names of the shipper and receiver;
 - c. The origin and destination of the permitted load;
 - d. The dates the permitted load was in transit; and
 - e. The route used in transit.

R17-4-459. Private carrier manifests Repealed

On and after the 16th day of July 1956, all private carriers shall, in addition to the requirement of A.R.S. § 40-654, leave a copy of all manifests and/or delivery instructions or other similar documents at the Motor Vehicle Checking Station at point of entry.

R17-4-460. Mobile home—highway 93 restrictions Repealed

No mobile homes exceeding 10 feet in width shall be moved between the Arizona-Nevada State Line and milepost 14.80 of state highway Route 93.

R17-4-461. Definition of agricultural products Repealed

For the purposes of A.R.S. §§ 28-412.5(B), 28-501(I) and 28-1238, the term “Agricultural Products” means plants, animals and plant or animal products produced in farming operations that are in their unmanufactured or unprocessed states.

R17-4-462. Mobile homes—prepaid oversize permits Repealed

A. Mobile homes exceeding maximum size limits, but not in excess of 14 feet in width, that are to be moved on highways under the jurisdiction of the Department of Transportation shall have an Arizona Department of Transportation oversize permit for each single move. These permits shall be acquired through a prepaid method.

B. Requirements.

1. Only Arizona base-plated, licensed, mobile home dealers, transporters and manufacturers shall move oversize mobile homes.
2. All applicable Ad Valorem taxes and fees shall be paid to date. Proof shall be provided through the county assessor of the county in which the mobile home is located.
 - a. The assessor shall, upon request, issue a clearance form which indicates all fees and Ad Valorem taxes have been paid.
 - b. This clearance shall be valid for no more than 30 days.
3. All dealer operations authorized under a single license and dealer bond and all transporter operations authorized under a single license and bond shall be considered as single operations, regardless of the number of locations from which vehicles are dispatched or at which locations prepaid permits are completed.

C. Applications for prepaid oversized permits. Request for permits shall be made by completing an Arizona Department of Transportation application. Applications shall be available at all ADOT permit offices. The applications shall include the following information:

1. Date;
2. Name of applicant;
3. Dealer/transporter/manufacture licensing number;

Arizona Administrative Register
Notices of Proposed Rulemaking

4. Motor Carrier number;
 5. Use Fuel number;
 6. Addresses and phone numbers of the business/firm and their satellite offices;
 7. Names, addresses, telephone numbers and signatures of those employees designated by the employer to have signature authority;
 - a. The dealer, transporter or manufacturer shall designate which of their employees have the authority to sign oversize mobile home permits.
 - b. The employer shall notify the Motor Vehicle Division, permit office in writing when the signature authority has been terminated.
 8. The towing vehicle make, license number, type and weight class;
 9. Permit numbers issued by the Arizona Department of Transportation;
 10. A statement that denotes applicant has read Arizona rule R17-4-423;
 11. The applicant's signature.
- D. Prepaid oversize permits.**
1. Permits are purchased at any Arizona Department of Transportation permit office or by mail from: Motor Vehicle Division, Permit Section, 1801 West Jefferson (Lobby), Phoenix, Arizona 85007.
 - a. Postage costs shall be borne by the applicant.
 - b. Permits shall be issued in books of 50 sets. A set shall have an original and 2 copies and shall cost \$15.00 each, totaling \$750.00 per book.
 2. The dealer, transporter or manufacturer shall complete 1 permit set for each movement of an oversize mobile home prior to the actual movement. The permit set shall include:
 - a. The origin and destination;
 - b. The exact route to be traveled;
 - c. The mobile home serial number;
 - d. The towing vehicle license number;
 - e. The length and width of the mobile home;
 - f. The combined length of the mobile home and the towing vehicle;
 - g. The name of the registered owner of the mobile home.
- E. Permit distribution.** The permit set shall be distributed as follows:
1. The original shall be mailed to the Motor Vehicle Division permit office on the day of issuance.
 - a. If a clearance form from the county assessor has been provided, it shall be attached to this copy of the prepaid permit.
 - b. The clearance shall indicate that all Ad Valorem taxes and fees are satisfied.
 2. The 1st copy (yellow) shall be affixed to the rear window of the oversize mobile home, or if there is no rear window, it shall be affixed to the rearmost left side window and shall be clearly visible from outside the vehicle.
 3. The 2nd copy shall be retained in the original binding and shall be submitted to the Motor Vehicle Division permit office immediately following completion of the entire book of permit sets.
- F. Validity.** The permit shall be valid for 96 hours or 4 days. If the mobile home is taken out of state during this period of time, the permit shall no longer be valid.
- G. Restricted routes.** Dealers, transporters and manufacturers shall ensure compliance with the specifications as listed in the Table of Restricted Routes and Requirements as set forth in rule R17-4-411 (Appendix E).
- H. Enforcement.** The driver of a towing vehicle moving an oversize mobile home shall, upon request of any peace officer or motor vehicle officer, surrender the oversize permit for inspection:
1. Permits which are incomplete, not properly filled out or not signed by the appropriate designee shall be deemed void.
 2. Further movement shall not be allowed, except as directed by the officer for the safety of the motoring public and the orderly operation of traffic, until a new permit has been approved and issued by the Motor Vehicle Division permit office.
- I. Penalties.** Any dealer or employee, transporter or employee, manufacturer or employee who fails to comply with the provisions of this rule or who does not comply with the provisions set forth in rule R17-4-411 and R17-4-412, while moving a vehicle authorized by the completion of a prepaid permit, shall have the privilege of using such permits suspended by the Director of Motor Vehicle Division for a period of 1 year. A 2nd such failure of compliance shall result in a permanent revocation of the privilege of the use of prepaid permits.
- J. Permit Denials.** The Director may deny permits:
1. When movement of a mobile home would be on those highways which would not bear the weight or accommodate the size of the vehicle.
 2. When the mobile home is routed over highways under repair.
 3. When movement would be impaired due to hazardous weather conditions.
 4. When required fees and taxes have not been paid.
- K. Appeal.**

Arizona Administrative Register
Notices of Proposed Rulemaking

1. When a request for a prepaid permit set is denied, the applicant shall have the right to appeal by submitting a written petition to the Director of the Department of Transportation within 10 days of the denial. The petition shall include the following:
 - a. Name and address of applicant;
 - b. Date;
 - c. Date of denial;
 - d. A brief description of the reasons applicant believes the request should not have been denied.
2. The Director's decision in this matter shall be final.

R17-4-463. ~~Oversize permits—round trip authority~~ Repealed

Each permit shall be issued for a single trip and single load over the route designated, from the point of origin to destination, except that when overdimensional unladen equipment is required for the purpose of transporting superheavy or nonreducible commodities, a single trip permit may be issued permitting the movement of unladen overdimensional equipment to pick up a load within the state and to transport the load to destination within the state. When movement originates with vehicles loaded within the state with superheavy or nonreducible commodities, overdimensional equipment may be permitted to return to point of origin of movement within the state with the vehicle owner's equipment loaded thereon, provided such load is otherwise within legal limits for weight and dimension, and provided further that no such load shall consist of anything other than equipment actually owned by, or leased to (but not for purposes of such transportation) the owner of the overdimensional vehicle.

R17-4-464. ~~Overheight permits~~ Repealed

~~A.~~ Applicability of rules:

1. These rules apply to the movement of any vehicle or combinations thereof, which exceed the laden height allowed by law.
2. A permit issued under authority of these rules shall not allow the holder thereof to move such vehicle or combinations thereof, if it or they exceed maximum lawful width, weight or overhang.

~~B.~~ Conditions of permit, class and cost of permits:

1. Excess height vehicle and load may not exceed 14 feet in height when laden.
2. The issuance of permits under authority of law and these rules or the furnishing of information regarding overhead structures or limitations of overhead clearance shall not be construed by the permittee as relieving the permittee, his agent, employee or any other person acting on his behalf, from the responsibility of insuring the permitted vehicle or load may safely pass under such overhead structures or other limitations of overhead clearance.
3. There shall be 2 classes of permits as follows:
 - a. Annual, which shall be valid for 1 year from date of issuance.
 - b. Single Trip, which shall be valid for 1 movement only. This permit shall expire upon the completion of the movement or 4 days from date of issuance, whichever 1st occurs.

~~C.~~ Who shall issue permits: There is hereby designated a Permit Supervisor and such other employees of the Department as are necessary to carry out the provisions of these rules and who are authorized to issue permits when provisions of these rules have been met.

~~D.~~ Applications for permit:

1. Applications shall be made on a form prescribed by the Department and signed by the carrier or its authorized agent.
2. Permits granted hereunder are valid only on state routes (whether designated as state or federal highways) and the right to use county highways or city streets is neither granted or implied. Permits for use other than state routes shall be procured from the proper local authority.
3. Permits shall contain the following information:
 - a. Make of motor vehicle
 - b. Arizona or home state license number
 - c. Vehicle ID number
 - d. Unit number
 - e. Owner
 - f. Address
 - g. Detailed description of any other vehicles to be part of the load or the load to be transported, if the application is for a Single Trip permit.

~~E.~~ Restrictions on use of permit:

1. Permits issued are only valid for the motor vehicle specified on the permit and are not transferable.
2. Vehicle and load must comply with legal width, length, overhang and weight requirements as listed in A.R.S. Title 28, Chapter 6, Article 18.
3. Permits shall be revoked for misuse.
4. It shall be the responsibility of the permittee to detour all structures under which the permitted vehicle or load may not safely pass.

Arizona Administrative Register
Notices of Proposed Rulemaking

- F.** ~~Liability for damage to highways or appurtenances; security for damages: Any damage done to the highways over which a permitted load is transported, including the roadway surface, markers, signs, railing guards, delineators, overhead wires, structures and the like shall be paid for by the permittee causing said damage upon demand of the owner of the property damaged. To ensure payment, the Director, Department of Transportation, may require the applicant for a permit to show proof of insurance which will pay for such damages. If no such proof is furnished, a cash deposit or bond, in a form approved by the Director, Department of Transportation, of at least \$1,000.00 shall be required.~~
- G.** ~~Saving the state harmless: An applicant for a permit under these rules shall agree to hold the Director, Department of Transportation, State of Arizona and any of its departments, divisions, agencies, officers and employees harmless from all sums which this Director, Department of Transportation, State of Arizona, and any of its departments, divisions, agencies, officers or employees may be obligated to pay by reason of any liability imposed upon any of the above for damages arising out of the issuance of a permit under these rules or arising out of any movement made pursuant to the permit or caused by any negligent act or failure to act committed by the permittee or any person employed by the permittee or any others for whose act the permittee is legally liable. The above sums shall also include, in the event of litigation, court costs, expenses of litigation and a reasonable attorney's fee.~~
- H.** ~~Appeal: In the event the granting of a permit under these rules is refused, the applicant shall have the right to appeal to the Director, Department of Transportation, by filing a written petition of appeal setting forth all facts pertaining to such application. Such appeal shall be made within 10 days of the refusal of permit and shall be heard by the Director as soon thereafter as can be conveniently done.~~

R17-4-465. Multiple trailer combination permits Repealed

A. ~~Permit procedure:~~

- ~~1. Applicants requesting permits to operate multiple trailer combinations must obtain and have on file an annual "Certification of Compliance with Regulations" prior to issuance of any permits to operate multiple trailer combinations.~~
- ~~2. Applicants may obtain "Certification of Compliance with Regulations" by writing to:
Arizona Department of Transportation
Motor Vehicle Division
Oversize Permit Section
1801 West Jefferson
Phoenix, Arizona 85007~~
- ~~3. Upon receipt of the application and a copy of rules and regulations, the applicant must submit the application in triplicate. When approved, the original will be placed on file with the Motor Vehicle Division, the duplicate will be forwarded to Port of Entry, and the triplicate will be returned to the applicant.~~
- ~~4. Upon return receipt of the approved "Certification of Compliance with Regulations," applicants may apply for and obtain permits authorizing the operation of combinations of vehicles not over 105 feet in length at the Port of Entry upon entering the state.~~
- ~~5. Permits will be issued at the Port of Entry only, except for prepaid permits.~~
- ~~6. Prepaid permits may be obtained from the Permit Section in pads which contain 25 permits each, at a fee as prescribed in the A.R.S. § 28-1011(G). Applicant will complete all information required except issue and expiration dates. The original and the vehicle copy will be presented at the Port of Entry for validation, and the original will be mailed to the Permit Section by the Port of Entry.~~
- ~~7. Types of permits:
 - a. Single trip valid for 1 specific trip only.
 - b. Thirty day permits valid for 30 days from date of issue.
 - c. Fees shall be prescribed in the A.R.S. § 28-1011(G).~~

B. ~~General:~~

- ~~1. No multiple trailer combinations under the provisions of this rule will be permitted unless covered by a Special Transportation Permit issued to the operating company by the Department of Transportation. No driver may operate such a combination unless he meets the criteria established in subsection (E).~~
- ~~2. Any Special Transportation Permit shall be revoked by the Arizona Department of Transportation for failure of the company or any of its drivers to comply with the rules and regulations contained herein. Multiple violations by a company may result in a suspension of the company's privilege to operate multiple trailer combinations. Notice of suspension will be by certified mail. Appeal of suspension will be in accordance with subsection (M) of these rules. In addition to these specific rules, all equipment operated, all drivers employed, and all operating procedures must comply with the Motor Carrier Safety Regulations, Parts 390 — 397, U.S. Department of Transportation, Federal Highway Administration, and subsequent changes thereto, except where the rules contain special instructions which are more stringent than and not in conflict with the Motor Carrier Safety Regulations.~~
- ~~3. Any company approved to operate multiple trailer combinations under a Special Transportation Permit must provide the Arizona Department of Transportation with such reports and data on accidents, safety inspections, equipment, and any other information the Department may require.~~

Arizona Administrative Register
Notices of Proposed Rulemaking

4. No Special Transportation Permit will be issued to any company which does not have an established and aggressive safety program.
 5. Multiple trailer combinations operating under a Special Transportation Permit shall be limited only to interstate highways within this state that connect with 2 states which both allow multiple trailer combinations and such interstate highway does not exceed forty miles between the connecting states.
 6. The Arizona Department of Transportation, through its agents and the Department of Public Safety, may restrict or prohibit operations during times or periods when, in their judgment, traffic, weather, or other safety considerations make such operations unsafe or inadvisable. Triple trailers shall not be dispatched during adverse weather or pavement conditions. Movement is prohibited when road surfaces, due to ice, snow, frost or rain, present a condition which may be hazardous to the combination or to other highway users.
- C. Equipment:** In addition to subsection (B)(1), the following rules will apply to all units in the combination as applicable:
1. Power. All truck tractors shall be powered to provide adequate acceleration ability and hill climbing ability under normal operating conditions, and to operate on level grades at speeds compatible with other traffic. The ability to maintain a minimum speed of 20 m.p.h., under normal operating conditions on any grade over which the combination is operated, is required.
 2. Traction. All truck tractors shall have adequate traction to maintain a minimum speed of 20 m.p.h. under normal operating conditions on any grade over which the combination is operated and to be able to resume a speed of 20 m.p.h. after stopping on any such grade and, except in extreme road or weather conditions, to negotiate at any legal speed all grades encountered.
 3. Tires. Conventional 12-ply tires which give a "hard" ride are recommended. The use of so-called low pressure or extra width tires are prohibited unless approved by the Arizona Department of Transportation.
 4. Fifth wheel. A heavy duty fifth wheel is required. All fifth wheels must be clean and lubricated with a light duty grease prior to each trip. The fifth wheel must be located in a position which provides adequate stability.
 5. Pickup plates. Pickup plates must be of equal strength to the fifth wheel.
 6. King pin. The king pin must be of a solid type and permanently fastened. Screw out or folding type king pins are prohibited.
 7. Pintle hook and eye. All hitch connections must be of a no-slack type, preferably air-actuated ram. Air-actuated hitches which are isolated from the primary air transmission system are recommended.
 8. Drawbar. The drawbar length should be the practical minimum consistent with the clearances required between trailers for turning and backing maneuvers.
 9. Axles. Axles must be those designed for the width of the body.
 10. Brakes. All braking systems must comply with the state and federal requirements. In addition, fast air transmission and release valves must be provided on all semitrailer and converter dolly axles. A brake force limiting valve, sometimes called a "slippery road" valve, may be provided on the steering axle. Indiscriminate use of engine retarder brakes is prohibited.
 11. Mud flaps or splash guards. As required in A.R.S. § 28-958.01.
- D. Combinations:** The following multiple trailer combinations, when approved by the Director, Arizona Department of Transportation, may be operated under a Special Transportation Permit. All multiple trailer combinations listed below must have at least 6 axles and not more than 9 axles and shall consist of not more than 3 cargo units.
1. A truck tractor, semitrailer and 2 trailers, which have an overall combination length not to exceed 105 feet. A semitrailer used with a converter dolly is considered to be a trailer. Semitrailers and trailers must be of approximately equal length.
 2. A truck and 2 trailers which have an overall combination length not to exceed 105 feet. The trailers must be of approximately equal length.
 3. A truck tractor and 2 trailers of approximately equal length having an overall combination length not to exceed 105 feet.
 4. A truck tractor and 2 trailers, 1 of which cannot exceed 45 feet and the other which cannot exceed 29 feet nor be less than 26 feet, having an overall combination length not to exceed 90 feet. The lighter trailer must always be operated as the rear trailer except when the gross weight differential with the other trailer does not exceed 5,000 pounds.
 5. An auto transporter combination consisting of a truck and 2 stinger steered semitrailers not to exceed 105 feet in overall length.
- E. Drivers:**
1. The driver must fully comply with the driver's requirements set forth in the Motor Carrier Safety Regulations of the U.S. Department of Transportation and Title 28, Arizona Revised Statutes.
 2. The driver must have had special instruction and training in the operation of any multiple trailer combination as listed in paragraph 391.31(d), Motor Carrier Safety Regulations, prior to operating any such combination on a highway. The driver will be trained by an experienced triple trailer driver through special instructions or by traveling with the new driver until such time as he is deemed adequately qualified on the use and operation of triple trailer combinations.

Arizona Administrative Register
Notices of Proposed Rulemaking

3. The driver must be a paid employee of the company holding the Special Transportation Permit under direct supervision and responsibility of the company.
 4. The responsibility for strict compliance with these driver requirements shall be borne equally by both the driver and the company.
- F.** Speed: The maximum speed for any multiple trailer combination under a Special Transportation Permit shall not exceed legal or the posted speed limit if lower.
- G.** Stability: All multiple trailer combinations must be stable at all times during normal braking and normal operation. A multiple trailer combination when traveling on a level, smooth, paved surface must follow in the path of the towing vehicle without shifting or swerving more than 3 inches to either side when the towing vehicle is moving in a straight line.
- H.** Weight restrictions: The weight on any single axle or tandem axles shall not exceed the weights in accordance with A.R.S. § 28-1009.01, the total gross weight of the vehicle cannot exceed that which is provided in the following formula, or 111,000 pounds, whichever is less:
- $W = 500(LN/N - 1 + 12N + 36)$
- W = Overall gross weight on any group of 2 or more consecutive axles to the nearest 500 pounds.
- L = Distance in feet between the extreme of any group of 2 or more consecutive axles, when fraction is 1/2 foot or more the next larger number will be used.
- N = Number of axles in the group under consideration.
- I.** Operational procedures: The following operating restrictions shall be met by all vehicle combinations governed by these rules:
1. Minimum distance of 500 feet shall be maintained between combinations and other trucks except when overtaking and passing. In the event that the volume of other faster moving vehicles traveling in the same direction becomes heavy, the minimum distance between combinations shall be increased to increase the safety of passing maneuvers.
 2. Except when passing another vehicle traveling in the same direction, all multiple trailer combinations shall be driven in the right hand traffic lane.
 3. When disabled for any reason other than an accident, it should be parked off the pavement or as far off the travelway as possible.
- J.** Accidents: Notwithstanding other state and federal requirements for reporting motor vehicle accidents, all reportable accidents involving a multiple trailer combination operated under a Special Transportation Permit must be reported to the Permit Section within 10 days of the date of the accident.
- K.** Liability for damage to highways of appurtenances; security for damages: Any damage done to the highways over which a permitted load is transported, including the roadway surface, signs, markers, railings, guards, delineators, overhead wires, structures and the like shall be paid for by the permittee causing said damage upon demand of the owner of the property damaged. To ensure payment, the Department may require the applicant for a permit to show proof of insurance which will pay for such damages. If no such proof is furnished, a cash deposit or bond, in a form approved by the Department, of at least \$1,000.00 shall be required.
- L.** Saving the state harmless: An applicant for a permit under these rules shall agree to hold the Director, the State of Arizona and any of its departments, divisions, agencies, officers and employees harmless from all sums which the Director, the State of Arizona and any of its departments, divisions, agencies, officers or employees may be obligated to pay by reason of any liability imposed upon any of the above for damages arising out of the issuance of a permit under these rules or arising out of any movement made pursuant to the permit or caused by any negligent act or failure to act committed by the permittee or any person employed by the permittee or any others for whose action the permittee is legally liable. The above sums shall also include, in the event of litigation, court costs, and a reasonable attorney's fee.
- M.** Appeal: In the event the granting of a permit under these rules is refused, the applicant shall have the right to appeal to the Director, Arizona Department of Transportation by filing a written petition of appeal setting forth all facts pertaining to such application. Such appeal shall be made within 10 days of the refusal of a permit and shall be heard by the Director as soon thereafter as can be conveniently done. Be it further resolved that the administration of these rules shall be under the direction of the Director of Transportation and may be delegated by him to the Division of the Arizona Department of Transportation that he deems appropriate.

R17-4-466. Movement of a vehicle laden with watercraft; special permit Repealed

- A.** Applicability of this rule:
1. These rules apply to the movement of any vehicle laden with a watercraft, as defined by A.R.S. § 5-301, upon the public highways if the total outside width of the vehicle and watercraft exceeds 8 feet but does not exceed 10 feet.
 2. Pursuant to A.R.S. § 28-1002 as amended, effective August 27, 1977, the Assistant Director for the Motor Vehicle Division, Arizona Department of Transportation may, upon application in writing by the owner upon a form furnished by the Division, issue an annual permit for the movement of a vehicle laden with a watercraft not exceeding 10 feet in width, upon payment of an annual permit fee as prescribed in A.R.S. § 28-1002(D).
 3. Movement of watercraft exceeding 10 feet in width shall be as prescribed in rule R17-4-51 (repealed).

Arizona Administrative Register
Notices of Proposed Rulemaking

4. Any watercraft in excess of 8 feet for which a single trip oversize permit is required shall be governed by rule R17-4-51 (repealed).
5. The special excess width permit shall not allow the holder thereof to move such a vehicle or combination thereof, if it or they exceed maximum weight, length or height permitted by law; and, shall be governed by the provisions of A.R.S. § 28-1011.

B. Restrictions on use of permits:

1. A vehicle for which a permit has been issued shall be equipped with brakes as prescribed in A.R.S. § 28-952.
2. Permits granted hereunder are valid only on State Routes (whether designated as state or federal highways) described in the permit by State Route number or otherwise. Crossing the state or federal highways shall not be deemed to be traveling on a state or federal highway, and the right to use county highways or city streets is neither granted nor implied. Permits for use of other than State Routes designated on the permit shall be procured from the proper local authority.
3. Permit applications for watercraft subjects to registration will be approved only when such watercraft are properly registered with the Arizona Game and Fish Department in accordance with the applicable laws of this state.
4. Trailers laden with watercraft. Permit application will be approved only when such trailers are properly registered with the Arizona Department of Transportation, Motor Vehicle Division. Permits issued are only valid for the trailer specified on the permit and are not transferable.
5. A permit shall be issued only for "daylight hours" as defined in A.R.S. § 28-922 (sunrise to sunset).
6. No permit shall be issued for movement on Saturday, Sunday, or on the following national holidays: New Year's, Memorial Day, Independence Day, Labor Day, Thanksgiving Day or Christmas Day. If the holiday falls on a Monday, the movement shall stop before noon the Friday preceding the national holiday.
7. The provisions of subsection (B)(6) shall not apply if the movement is within 10 miles of a launch area constructed and maintained for the purpose of launching and retrieving watercraft.

C. General restrictions:

1. When any vehicle or vehicles are being operated under the provisions of a special excess width permit, the following applicable restrictions shall be shown on the permit. In addition, the Assistant Director may impose any additional restrictions which are indicated to reduce traffic hazards:
 - a. All overwidth vehicles or loads 9 feet wide or over shall display "Oversize Load" signs.
 - b. All overwidth loads and vehicles must be flagged with red flags 12 inches square or larger on all extremities.
 - c. No oversize vehicles or loads will be authorized to use Interstate 17 and 10 through Phoenix between Bell Road and Baseline Road between the hours of 7:00 A.M. to 9:00 A.M., and 4:00 P.M. to 6:00 P.M.
 - d. No oversize vehicles or loads will be authorized to use Interstate 10 or 19 within the city limits of Tucson between the hours of 7:00 A.M. to 9:00 A.M., and 4:00 P.M. to 6:00 P.M.
 - e. Alternate routes within city limits shall be predetermined by the established rules and regulations of local authorities.

D. Oversize load signs:

1. Whenever in these rules an "Oversize Load" sign is required, it shall comply with the sign specifications shown in Appendix A of these rules.
 - a. The oversize load sign shall be mounted on the rearmost of the watercraft or vehicle on which the watercraft is loaded in such a manner as to be clearly visible.
2. Oversize load signs shall be removed or entirely covered when not in use.
3. The present "Wide Load" worded signs will be acceptable until January 1, 1978.

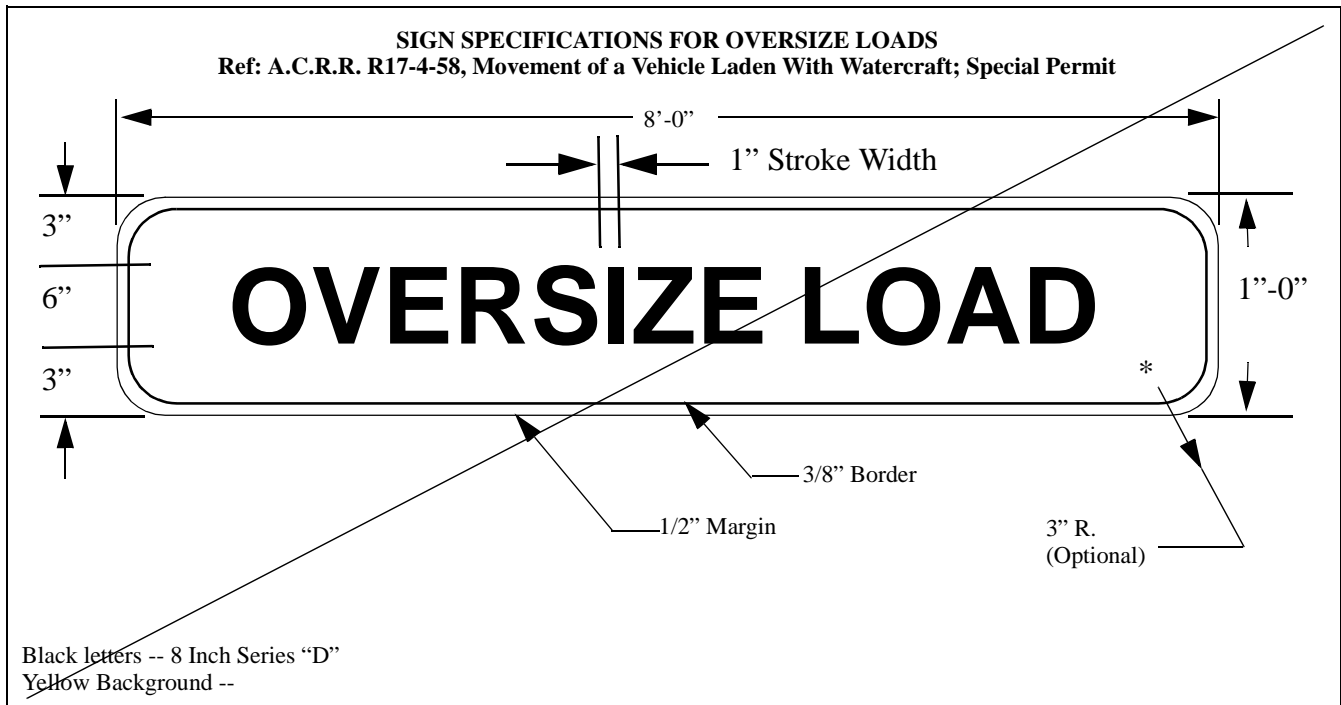
E. Liability for damage to highways or appurtenances; security for damages: Any damage done to the highways over which a permitted load is transported, including the roadway surface, markers, signs, railings, guards, delineators, overhead wires, structures and the like shall be paid for by the permittee causing such damage upon demand of the owner of the property damaged. To ensure payment, the Assistant Director for the Motor Vehicle Division, Arizona Department of Transportation, may require the applicant for a permit, to show proof of insurance which will pay for such damages. If no such proof is furnished, a cash deposit or bond, in a form approved by the Assistant Director for the Motor Vehicle Division, Arizona Department of Transportation, of at least \$1,000.00 shall be required.

F. Saving the state harmless: An applicant for a permit under these rules shall agree to hold the Assistant Director for the Motor Vehicle Division, Arizona Department of Transportation, State of Arizona and any of its departments, divisions, agencies, officers and employees harmless from all sums which this Assistant Director, the Director of the Arizona Department of Transportation, State of Arizona, and any of its departments, divisions, agencies, officers or employees may be obligated to pay by reason of any liability imposed upon any of the above for damages arising out of the issuance of a permit under these rules or arising out of any movement made pursuant to the permit or caused by any negligent act or failure to act committed by the permittee or any person employed by the permittee or any others for whose act the permittee is legally liable. The above sums shall also include in the event of litigation, court costs, expenses of litigation and a reasonable attorney's fee.

Arizona Administrative Register
Notices of Proposed Rulemaking

- G.** ~~Appeal: In the event the granting of a permit under these rules is refused, the applicant shall have the right to appeal to the Assistant Director for the Motor Vehicle Division, Arizona Department of Transportation, by filing a written petition of appeal setting forth all facts pertaining to such application. Such appeal shall be made within 10 days of the refusal of permit and shall be heard by a hearing officer appointed by the Assistant Director for the Motor Vehicle Division, Arizona Department of Transportation as soon thereafter as can be conveniently done.~~
- H.** ~~The provisions of rule R17-4-51 (repealed): Relating to the movement of overdimensional and overweight vehicles, shall likewise apply to the movement of motor vehicles laden with watercraft.~~

APPENDIX A



R17-4-467. Weight restrictions on Mexican Hay Lake Road Repealed

- A.** ~~A.R.S. § 28-1012(D) authorizes the Arizona State Highway Commission to impose restrictions as to the weight of vehicles operated upon any highway under the jurisdiction of the Commission.~~
- 1.** ~~By virtue of said statutory provision, the State Highway Director recommends that such restriction be imposed on the following State Route to assure against undue damage to the road foundation, surface and structures.~~
- B.** ~~In the interest of public necessity, safety, and convenience, the State Highway Director recommends that a maximum gross weight restriction be imposed on Mexican Hay Lake Road, a portion of State Route 273, being more particularly described as follows:~~
- 1.** ~~Beginning at a point in the South half of Section 17, Township 6 North, Range 28 East, at Highway Engineer's Station 000.00; thence in a Northerly direction to a point in the North half of Section 12, Township 8 North, Range 28 East, at Highway Engineer's Station 129.40, at its intersection of State Route 73.~~
- 2.** ~~A vehicle maximum gross weight restriction of 35,000 pounds be established on Mexican Hay Lake Road.~~
- 3.** ~~The State Highway Department is authorized and directed to post appropriate signs of said restrictions.~~

Arizona Administrative Register
Notices of Proposed Rulemaking

R17-6-411	New Section
Table 3.01	New Table
Table 3.02	New Table
Table 3.03	New Table
Table 3.04	New Table
Table 3.05	New Table
Table 3.06	New Table
Table 3.07	New Table
Table 3.08	New Table
Table 3.09	New Table
Illustration 3	New Illustration
R17-6-412	New Section
Table 4	New Table
Article 5	New Article
R17-6-501	New Section
R17-6-502	New Section
R17-6-503	New Section
R17-6-504	New Section
R17-6-505	New Section
Article 6	New Article
R17-6-601	New Section
R17-6-602	New Section

2. The specific authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):

Authorizing statute: A.R.S. § 28-366

Implementing statutes: A.R.S. §§ 28-1091 through 28-1100; 28-1103 through 28-1107; 28-1141 through 28-1149; 28-7045

3. A list of all previous notices appearing in the Register addressing the proposed rule:

Notice of Rulemaking Docket Opening: 7 A.A.R. 68, January 5, 2001 (superseded)

Notice of Recodification: 7 A.A.R. 3479, August 10, 2001

Notice of Rulemaking Docket Opening: 7 A.A.R. 3683, August 24, 2001

4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:

Name: George R. Pavia, Department Rules Supervisor

Address: Administrative Rules Unit
Department of Transportation, Mail Drop 507M
3737 N. 7th Street, Suite 160
Phoenix, AZ 85014-5079

Telephone: (602) 712-8446

Fax: (602) 241-1624

E-mail: gpavia@dot.state.az.us

Please visit the ADOT web site to track progress of this rule and any other agency rulemaking matters, at www.dot.state.az.us/about/rules.

Format for submission of formal comment in this rulemaking:

1. A respondent shall deliver all comments in written or electronic mail form to the agency officer listed above by the record closure date and time in preamble item #10. The agency will accept no oral comments apart from the scheduled oral proceeding by videoconference.
2. All comments shall contain the following elements:
 - a. Clear identification of the person submitting comment by name and any applicable organization represented;
 - b. Clear identification of specific rules by proposed A.A.C. Section number (R17-6-xxx) and any applicable subsection letter and number that a person is commenting on. Any comment without specific reference to a proposed rule Section will be disregarded; and

Arizona Administrative Register
Notices of Proposed Rulemaking

- c. Clear and specific comment stating:
 - i. Support, objection, or question concerning a proposed rule provision;
 - ii. Specific reason for support or objection; and
 - iii. An optional brief statement of proposed or desired alternative.

3. The agency reserves the right to combine repetitious comments.

5. An explanation of the rule, including the agency's reasons for initiating the rule:

In a separate rulemaking, Motor Vehicle Division is repealing a set of archaic rules that were developed incrementally to regulate overdimensional permits statewide (original R17-4-406 through R17-4-428, subsequently renumbered as R17-4-450 through R17-4-467). At the same time as the repeal action, this new set of streamlined rules completely rewrites the rules regarding overdimensional permits as a new and separate Chapter (6) under 17 A.A.C. The result is a more practical and understandable set of rules for the regulated industry. The new rule format will be less difficult to amend as provision changes occur. Agency Enforcement will find the new Chapter more versatile for ease in reference and distribution to interested parties. This undertaking is a collaborative effort between Motor Vehicle Division Central Permits section, ADOT Intermodal Transportation Division, the state's Overdimensional Permit Advisory Council, and interested parties from the commercial transport industry.

Note: Since the beginning of this rulemaking, the agency recodified the entirety of 17 A.A.C. The rule numbering scheme in the original Notice of Rulemaking Docket Opening was a range from R17-4-401 through R17-4-427.

6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the proposed rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study and other supporting material:

None

7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:

Not applicable

8. The preliminary summary of the economic, small business, and consumer impact:

This rulemaking updates the current rules for clarity, decreasing the cost of agency, permittee, and small business along with political subdivisions. Agency, permittee, and small business along with political subdivisions will benefit by rules that will allow for quicker and easier understanding of the requirements of overdimensional permit rules. The agency incorporated global non-substantial changes in grammar, syntax, and word choice to improve the rule's clarity, conciseness, and understandability. The agency also eliminated provisions that duplicated requirements in statute.

The agency may incur initial set up costs for administrative procedures. However, the costs should be minimal as Arizona Central Commercial Permits and MVD Enforcement already are required to provide permits for overdimensional vehicle travel across the roads that the agency maintains.

The permittee and small businesses may incur initial set up costs for administrative procedures. However, this should be minimal as both the permittee and small businesses already are required to request permits to move their overdimensional loads over the roads that the agency maintains.

The agency has removed some requirements that will have value added savings to the permittee and small businesses in the removal of some fees and allowing for greater movement times. State revenues will not see any loss in the elimination of some fees that were not collected. The state is conforming to similar rules to contiguous states that border with Arizona to make it easier for permittees and small businesses to move their movements to through the state. The agency will benefit in the new rulemaking to allow for better budget planning and enforcement of the rules. The agency will benefit in improving their processes involved in application assessment and approval due to the new rules. Department of Public Safety (DPS) which enforces the rules on the roads will benefit in improving their processes involved in enforcement of the overdimensional vehicles that they encounter on the roads of Arizona. Overall the agency believes that there will be an inestimable benefit to all citizens of Arizona due to statewide motoring safety and highway structural integrity. The agency believes it has accurately summarized this rulemaking's economic impact.

9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:

Interested persons may direct questions concerning the economic statement to:

Name: Brent P. Heiss, Rules Analyst
Address: Administrative Rules Unit
Department of Transportation, Mail Drop 507M

Arizona Administrative Register
Notices of Proposed Rulemaking

3737 N. 7th Street, Suite 160
Phoenix, AZ 85014-5079

Telephone: (602) 712-8449
Fax: (602) 241-1624
E-mail: bheiss@dot.state.az.us

10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rule:

Date: Tuesday, May 7, 2002

Time: 1:00 p.m.

Locations:

Flagstaff	Phoenix	Tucson
ADOT District Office Board Room 1801 S. Milton Rd. Flagstaff, AZ 86001	ADOT Headquarters Conference Room, 186 206 S. 17th Ave. Phoenix, AZ 85007	ADOT District Office Board Room 1221 S. 2nd Ave. Tucson, AZ 85713

Nature: Oral proceeding by videoconference

Closure: To allow for submission of follow-up written comment to the oral proceeding, the public record in this rule-making will close at 4:30 p.m., Friday, May 10, 2002.

11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:

Not applicable

12. Incorporations by reference and their location in the rules:

None

13. The full text of the rules follows:

TITLE 17. TRANSPORTATION

**CHAPTER 6. ~~RESERVED~~ DEPARTMENT OF TRANSPORTATION
OVERDIMENSIONAL PERMITS**

ARTICLE 1. GENERAL PROVISIONS

Section

<u>R17-6-101.</u>	<u>Definitions</u>
<u>R17-6-102.</u>	<u>Threshold Dimensions</u>
<u>Table 1.</u>	<u>Threshold Dimensions</u>
<u>R17-6-103.</u>	<u>General Permit Application Procedure</u>
<u>R17-6-104.</u>	<u>Special Class C Permit Application Procedure</u>
<u>R17-6-105.</u>	<u>Permit Limitation</u>
<u>R17-6-106.</u>	<u>Permit Extension</u>
<u>R17-6-107.</u>	<u>Permit Confiscation</u>
<u>R17-6-108.</u>	<u>Permit Exemption</u>
<u>R17-6-109.</u>	<u>Permit Denial</u>
<u>R17-6-110.</u>	<u>Liability</u>
<u>R17-6-111.</u>	<u>Administrative Hearing</u>

ARTICLE 2. PERMIT CLASSES

Section

<u>R17-6-201.</u>	<u>Class A</u>
<u>R17-6-202.</u>	<u>Class B</u>

Arizona Administrative Register
Notices of Proposed Rulemaking

<u>R17-6-203.</u>	<u>Class B, Type R</u>
<u>R17-6-204.</u>	<u>Class C</u>
<u>R17-6-205.</u>	<u>Class D</u>
<u>R17-6-206.</u>	<u>Class E</u>
<u>Table 2.</u>	<u>Class E Permit Types</u>
<u>R17-6-207.</u>	<u>Class F</u>
<u>R17-6-208.</u>	<u>Class G</u>
<u>R17-6-209.</u>	<u>Class H</u>
<u>R17-6-210.</u>	<u>Envelope Permit</u>
<u>R17-6-211.</u>	<u>Manufactured Home Permit Book</u>

ARTICLE 3. SAFETY REQUIREMENTS

<u>Section</u>	
<u>R17-6-301.</u>	<u>General Safety Requirements</u>
<u>R17-6-302.</u>	<u>Warning Flag Requirements</u>
<u>Illustration 1.</u>	<u>Warning Flag Configuration</u>
<u>R17-6-303.</u>	<u>Sign Requirements</u>
<u>Illustration 2.</u>	<u>“OVERSIZE LOAD” Sign</u>
<u>R17-6-304.</u>	<u>Lighting Device Requirements</u>
<u>R17-6-305.</u>	<u>Escort Vehicles</u>
<u>R17-6-306.</u>	<u>Traffic Control Provisions</u>
<u>R17-6-307.</u>	<u>Projecting Loads</u>

ARTICLE 4. TRANSPORT RESTRICTIONS

<u>Section</u>	
<u>R17-6-401.</u>	<u>General Highway Operations</u>
<u>R17-6-402.</u>	<u>Speed Restriction</u>
<u>R17-6-403.</u>	<u>Weather Restriction</u>
<u>R17-6-404.</u>	<u>Urban Transport</u>
<u>R17-6-405.</u>	<u>Weekend Transport</u>
<u>R17-6-406.</u>	<u>Holiday Transport</u>
<u>R17-6-407.</u>	<u>Lake-specific Weekend and Holiday Transport</u>
<u>R17-6-408.</u>	<u>Continuous Travel</u>
<u>R17-6-409.</u>	<u>Night Movement</u>
<u>R17-6-410.</u>	<u>Special Manufactured Home Towing Restriction</u>
<u>R17-4-411.</u>	<u>Maximum Permitted Weights</u>
<u>Table 3.01.</u>	<u>Maximum Permitted Weight Computations: 8-foot, 0-inch Axle Width</u>
<u>Table 3.02.</u>	<u>Maximum Permitted Weight Computations: 8-foot, 3-inch Axle Width</u>
<u>Table 3.03.</u>	<u>Maximum Permitted Weight Computations: 8-foot, 6-inch Axle Width</u>
<u>Table 3.04.</u>	<u>Maximum Permitted Weight Computations: 8-foot, 9-inch Axle Width</u>
<u>Table 3.05.</u>	<u>Maximum Permitted Weight Computations: 9-foot, 0-inch Axle Width</u>
<u>Table 3.06.</u>	<u>Maximum Permitted Weight Computations: 9-foot, 3-inch Axle Width</u>
<u>Table 3.07.</u>	<u>Maximum Permitted Weight Computations: 9-foot, 6-inch Axle Width</u>
<u>Table 3.08.</u>	<u>Maximum Permitted Weight Computations: 9-foot, 9-inch Axle Width</u>
<u>Table 3.09.</u>	<u>Maximum Permitted Weight Computations: 10-foot, 0-inch Axle Width</u>
<u>Illustration 3.</u>	<u>Overweight Axle Groups</u>
<u>R17-6-412.</u>	<u>Highway-specific Overdimensional Permitted Vehicle Restrictions</u>
<u>Table 4.</u>	<u>Permanent Overdimensional-transport Highway Restrictions</u>

ARTICLE 5. ENVELOPE PERMIT SPECIAL PROVISIONS

<u>Section</u>	
<u>R17-6-501.</u>	<u>Envelope Permit Required Recordkeeping</u>
<u>R17-6-502.</u>	<u>Envelope Permit Suspension Point System</u>
<u>R17-6-503.</u>	<u>Envelope Permit Suspension; Revocation; Enforcement</u>
<u>R17-6-504.</u>	<u>Notice of Point Assessment, Denial, Suspension, or Revocation</u>
<u>R17-6-505.</u>	<u>Envelope Permit Reapplication</u>

ARTICLE 6. MANUFACTURED HOME PERMIT SPECIAL PROVISIONS

Section

R17-6-601. Self-issue Prepaid Permit Enforcement

R17-6-602. Penalties

ARTICLE 1. GENERAL PROVISIONS

R17-6-101. Definitions

- A.** The Division Director of the Arizona Department of Transportation, Motor Vehicle Division in cooperative partnership with the Intermodal Transportation Division, shall issue and regulate overdimensional permits under this Chapter. The agency implements these Sections under general authority of A.R.S. § 28-1103(B) and in collaboration with the Overdimensional Permit Advisory Council as prescribed under A.R.S. § 28-1150(C)(3).
- B.** The following definitions apply to this Chapter:
1. "AASHTO" means American Association of State Highway Transportation Officials.
 2. "ADOT" or "Department" means Arizona Department of Transportation.
 3. "Appurtenance" means any not readily removable manufacturer- or dealer-installed fixture attached to a vehicle or load that increases a peripheral dimension of the vehicle or load.
 4. "Arizona Central Commercial Permits" means the statewide ADOT-MVD headquarters office for overdimensional permit applications and information; address:
14370 West Van Buren
Goodyear, Arizona 85338
voice line: (623) 932-2247
facsimile: (623) 932-2441
internet: <http://www.dot.state.az.us/mvd/centralpermits/index.htm>
 5. "Articulated (combination) vehicle" means any combination of a truck or truck tractor and 1 or more trailers or semi-trailers that operates so that two or more frames are connected by suitable couplings, but does not include a manufactured or mobile home.
 6. "Continuous travel" means to operate a vehicle continuously throughout any 24-hour period.
 7. "Director" means:
 - a. The Division Director of the Arizona Department of Transportation, Motor Vehicle Division; or
 - b. The Division Director's designee.
 8. "Division" or "MVD" means the Arizona Department of Transportation, Motor Vehicle Division.
 9. "Envelope" has the meaning prescribed under A.R.S. § 28-1141(1) and for clarity is further defined as a specific set of load dimensional criteria applicable to issuing an envelope permit as follows:
 - a. No longer than 120 feet.
 - b. No taller than 16 feet.
 - c. No wider than 14 feet.
 - d. No heavier than 250,000 pounds gross weight and does not exceed axle group weight distribution as prescribed under R17-6-411 – Table 3.01 through Table 3.09, and
 - e. No fewer than 4 axles.
 10. "Envelope permit" has the meaning prescribed under A.R.S. § 28-1141(2) and for clarity is further defined as an overdimensional permit issued as a convenience to an intrastate carrier that:
 - a. Is restricted to non-reducible loads.
 - b. Allows unlimited trips within the permit's validity period.
 - c. Allows the permitted carrier unlimited load changes.
 - d. Requires a transported load to meet envelope dimensional criteria, and
 - e. Restricts operation to certain routes.
 11. "Established place of business" means a permanent site or location where the business of an overdimensional permit holder is conducted.
 12. "Fixed load", "non-reducible load", "non-divisible load", or "non-divisible vehicle" have the meaning prescribed under 23 CFR 658.5 April 2001, and for purposes of clarity in this Chapter mean an overdimensional load or vehicle that if separated into smaller components would:
 - a. Compromise intended use.
 - b. Destroy load or vehicle value.
 - c. Render a load or vehicle unusable for its intended purpose, or
 - d. Require more than 8 hours to dismantle using appropriate equipment.
 13. "Highway feature" means a roadway, structure, traffic control device, right-of-way, or other accessory connected with highway travel.
 14. "ITD" means Intermodal Transportation Division.

Arizona Administrative Register
Notices of Proposed Rulemaking

15. “LCV” or “longer combination vehicle” means any combination of a truck or truck tractor and 1 or more trailers or semitrailers that operates at a gross vehicle weight greater than 80,000 pounds.
16. “Maintenance Permits Services” means Arizona Department of Transportation Intermodal Transportation Division headquarters office for class C overdimensional permit approval and technical information; address: 206 South 17th Avenue, Mail Drop 004R Phoenix, Arizona 85007 voice line: (602) 712-8280 or 8176 facsimile: (602) 712-3380
17. “Manufactured home” has the meaning prescribed under A.R.S. § 41-2142(2) and (24).
18. “Metropolitan Phoenix” means linear distance on a federal or state highway between post markers as designated:

<u>Highway type</u>	<u>Highway number</u>	<u>Post marker and street name coordinate range</u>
<u>Interstate</u>	<u>10</u>	<u>133A – 99th Ave to 164 – Queen Creek</u>
<u>Interstate</u>	<u>17</u>	<u>216A – SR101 to 150A – I-10 junction at 24th Street</u>
<u>State route</u>	<u>51</u>	<u>All</u>
<u>US route</u>	<u>60</u>	<u>138.6 – Loop 303 to 195 – Ironwood</u>
<u>State route</u>	<u>101</u>	<u>All</u>
<u>State route</u>	<u>143</u>	<u>All</u>
<u>State route</u>	<u>153</u>	<u>All</u>
<u>State route</u>	<u>202</u>	<u>All</u>

19. “Metropolitan Tucson” means linear distance on a federal or state highway between post markers as designated:

<u>Highway type</u>	<u>Highway Number</u>	<u>Post marker and street name coordinate range</u>
<u>Interstate</u>	<u>10</u>	<u>242.5 – Cortaro Road to 268 – Craycroft Road</u>
<u>Interstate</u>	<u>19</u>	<u>95 – Valencia to I-10 junction</u>
<u>State route</u>	<u>77</u>	<u>82 – Tangerine Road to I-10 junction</u>
<u>State route</u>	<u>86</u>	<u>166.5 – Kinney Road to 19B junction</u>

20. “Mobile home” has the meaning prescribed under A.R.S. § 28-2001(B)(1).
21. “M.S.T.” or “Mountain Standard Time” means the time in Arizona as prescribed under 49 CFR 71.2(b) and A.R.S. § 1-242(A), rejecting the adoption of daylight saving time as prescribed under A.R.S. § 1-242(C) permitted under 49 CFR 71.2.
22. “Overdimensional” means any size or weight measurement exceeding a measurement prescribed under R17-6-102, Table 1.
23. “Permit supervisor” means a managing official of Arizona Central Commercial Permits or a port of entry daily officer-in-charge.
24. “Permittee” means a person possessing an overdimensional permit.
25. “Power unit” has the meaning prescribed in A.R.S. § 28-1141(3).
26. “Specified load” means any item or series of items transported throughout an entire permit period with no alteration except for exact dimensional duplicate item substitution.
27. “Sunrise” and “Sunset” have the meaning and daily calculation prescribed by the United States Naval Observatory “USNO” that:

Arizona Administrative Register
Notices of Proposed Rulemaking

- a. The Department uses to determine normal permit transport start and stop times as prescribed under R17-6-401(A); and
- b. An interested person may obtain from the USNO internet address: <http://aa.usno.navy.mil> or in hardcopy from the Department office prescribed under R17-1-101(B)(19).
- 28. "Tandem axle" has the meaning prescribed in A.R.S. § 28-1100(B).
- 29. "Tare weight" means a vehicle's empty or starting weight.
- 30. "Vehicle combination" has the meaning prescribed under A.R.S. § 28-101(10).

R17-6-102. Threshold Dimensions

- A.** Unless a vehicle is exempt under A.R.S. § 28-1091(C), a vehicle operator shall have an overdimensional permit for a vehicle exceeding any dimension prescribed in Table 1.
- B.** A vehicle required to carry an overdimensional permit as prescribed under subsection (A) shall comply with any applicable:
 - 1. Safety requirement prescribed under Article 3 of this Chapter, and
 - 2. Transport restriction prescribed under Article 4 of this Chapter.
- C.** The Department shall require a class C permit for an overdimensional vehicle or load over axle weight or heavier than 250,000 pounds that proposes a transport route that crosses any bridge over a state or federal highway.

Table 1. Threshold Dimensions

A vehicle or load exceeding any tabular measurement requires an overdimensional permit in an applicable class as prescribed under Article 2 of this Chapter.

<u>Width (in feet, inches)</u>	
<u>State highway system as designated by the Transportation Board under A.R.S. § 28-304(A)(2)</u>	<u>8'6"</u>
<u>Other highways</u>	<u>8'</u>

<u>Height (in feet, inches)</u>	
<u>State highway system as designated by the Transportation Board under A.R.S. § 28-304(A)(2)</u>	<u>14'</u>
<u>Other highways</u>	<u>13'6"</u>

<u>Length (in feet, inches)</u>		
<u>Straight trucks</u>		<u>40'</u>
<u>Truck tractor-semitrailer, semitrailer length</u>	<u>Interstate system</u>	<u>57'</u>
	<u>Other highways</u>	<u>53' per trailer; 65' overall combination</u>
<u>Truck tractor-semitrailer, full trailer combination</u>		<u>No overall length limit</u>
<u>Trailers in twin trailer combination</u>		<u>28'6" per trailer</u>
<u>Vehicle transporter combination</u>		<u>75'</u>
<u>Overhang</u>	<u>Front</u>	<u>3'</u>
	<u>Rear</u>	<u>6'</u>

<u>Weight (in pounds)</u>	
<u>Single axle</u>	<u>20,000</u>
<u>Tandem axle</u>	<u>34,000</u>
<u>Steering axle</u>	<u>20,000</u>
<u>Gross vehicle weight; five axles or more and 51 feet maximum length*</u>	<u>80,000</u>

Arizona Administrative Register
Notices of Proposed Rulemaking

*Maximum allowed weight on axle groups is computed by the formula prescribed under A.R.S. § 28-1100(A)(4).

R17-6-103. General Permit Application Procedure

- A.** To obtain a permit under Section R17-6-210 or R17-6-211, a person shall submit a completed application form to the Arizona Central Commercial Permits office at the location prescribed under R17-6-101(B)(4).
- B.** Except for Section R17-6-204, the Department shall issue a permit under Sections R17-6-201 through R17-6-209 according to the point-of-application local office procedure by one of the following methods:
 - 1. Written application form, or
 - 2. Direct electronic data entry of required applicant information by an authorized Department officer.
- C.** An applicant shall submit exact dimensions of the vehicle plus load combination.
- D.** The Department shall not approve an overdimensional permit application for a vehicle subject to registration under A.R.S. § 28-2153 unless the vehicle has valid registration with the Motor Vehicle Division.
- E.** An applicant for transport of a manufactured home under a class A, C, or Manufactured Home Permit Book shall present Ad Valorem tax clearance to the Department at the time of issuance.
- F.** If an overdimensional permit applicant must temporarily move any state-owned highway feature as part of a planned move, the applicant shall also obtain any applicable encroachment permit according to procedure prescribed under R17-3-702 before issuance of an overdimensional permit.
- G.** If there are reasonable grounds to question weight accuracy of an applicant's vehicle, the Department shall require the vehicle to be weighed by a certified weighmaster before issuing a permit. To facilitate applicant compliance with this subsection, the Department shall issue a temporary permit for the applicant to access a weighmaster service.
- H.** If the Department determines traffic control is necessary for an applicant-vehicle's proposed trip route, the applicant shall comply with safety requirements prescribed under R17-6-306.
- I.** Falsification of any application information is grounds for permit denial.
- J.** If overhead lines cross the proposed route of an applicant's overheight vehicle or load, as prescribed in R17-6-102 – Table 1, the applicant shall notify the responsible utility company of possible disturbance or damage.

R17-6-104. Special Class C Permit Application Procedure

- A.** An applicant shall submit a written application for a class C permit to ADOT-ITD Maintenance Permits Services at the address prescribed under R17-6-101(B)(15). An applicant shall submit a written application on:
 - 1. The applicant's letterhead; or
 - 2. An application form provided by the ADOT-ITD Maintenance Permits Section.
- B.** Application for an overweight class C permit. If an applicant's vehicle exceeds weight limits prescribed under R17-6-411 - Table 3.01 through 3.09, the applicant shall provide the following with a written permit application:
 - 1. Vehicle axle spacings;
 - 2. Axle weights;
 - 3. Exact overall dimensions of the vehicle plus its load:
 - a. Length;
 - b. Height;
 - c. Width; and
 - d. Width to the outside of axles;
 - 4. Tires:
 - a. Manufacturer-designated width; and
 - b. Number per axle;
 - 5. Load weight;
 - 6. Tare weight;
 - 7. A load's loaded position; and
 - 8. A detailed route description or printed map with intended route clearly marked to indicate where a permittee will enter and exit the highway system.
- C.** Engineering analysis.
 - 1. The applicant shall submit an engineering analysis if the weight of a vehicle or load exceeds:
 - a. 250,000 pounds, or
 - b. The maximum permitted weights prescribed in R17-6-411 and Table 3.01 through 3.09.
 - 2. The engineering analysis shall describe and certify that on a proposed route an applicant's overweight vehicle will not damage:
 - a. A highway structure; or
 - b. Any other state property.
 - 3. An engineer shall prepare an engineering analysis. As prescribed under 4 A.A.C. 30, the engineer shall be registered:
 - a. By the Arizona Board of Technical Registration, and

Arizona Administrative Register
Notices of Proposed Rulemaking

- b. In the structural or civil branch of engineering.
 - 4. The applicant may request that the Department prepare the engineering analysis. The applicant shall pay for the costs of the engineering analysis at a rate of \$75 per hour.
- D. An applicant for a subsequent class C permit may resubmit a pre-existing independent engineering analysis to the Department if the applicant's vehicle or load dimensions and proposed route are identical to a previously approved permit application.
- E. The Department shall conduct a separate analysis and approval procedure for each engineering analysis submitted under this Section.
- F. Denial of an engineering analysis constitutes denial of the application for class C permit.

R17-6-105. Permit Limitation

- A. An overdimensional permit authorizes transport only on a state or federal highway. A permittee shall apply separately with an applicable political subdivision or tribal nation for permission to operate on a county, municipal, or tribal route.
- B. The Department shall not issue a permit to transport a load less than a threshold dimension prescribed under R17-6-102 – Table 1 on an overwidth trailer.

R17-6-106. Permit Extension

- A. Upon request by a permittee, the Department shall authorize an extension of up to 4 days for a single-trip permit if:
 - 1. A permittee must change a vehicle due to mechanical failure, or
 - 2. Movement is delayed by inclement weather.
- B. The Department shall approve an extension under this Section:
 - 1. By signature of an authorized MVD enforcement agent,
 - 2. By telephone in an emergency situation, or
 - 3. By authorization of ADOT-ITD Maintenance Permits Services only for class C permitted vehicles.

R17-6-107. Permit Confiscation

A peace officer may confiscate any overdimensional permit other than an envelope permit if a permittee is cited for a violation under A.R.S. Title 28, Article 18 or this Chapter.

R17-6-108. Permit Exemption

- A. As authorized under A.R.S. § 28-1104(D), the Director shall not require an overdimensional permit for maintenance equipment operated by one of the following:
 - 1. The Arizona Department of Transportation,
 - 2. Another state agency,
 - 3. An Arizona county,
 - 4. An Arizona city, or
 - 5. An Arizona municipality.
- B. An exemption under this Section applies only to a vehicle qualified under subsection (A) that is:
 - 1. In local operation, or
 - 2. Under transport for repair or operation in a secondary location.
- C. Unless expressly waived in writing by the Department, safety restrictions prescribed under Article 3 of this Chapter apply to an overdimensional vehicle or load exempt under this Section.
- D. When operating with a permit exemption under this Section, any entity or contractor of an entity listed under subsection (A) shall keep load-specific written authorization by the Department available for inspection by law enforcement.

R17-6-109. Permit Denial

Unless the Director grants a vehicle- or load-specific transport exemption, the Director shall deny issuance of an overdimensional permit if:

- 1. A proposed transport route or structure is:
 - a. Unable to bear the weight or size of the transport vehicle and load according to provisions prescribed under R17-6-411 – Table 3.01 through Table 3.09,
 - b. Under repair, or
 - c. Temporarily closed due to a hazard condition listed under R17-6-403(B); or
- 2. An applicant submits an application to move a manufactured home without necessary Ad Valorem tax clearance.

R17-6-110. Liability

By accepting an overdimensional permit, a permittee shall be liable for any damage caused to a state- or privately-owned highway feature.

R17-6-111. Administrative Hearing

R17-1-501 through R17-1-513 apply as a permittee's prescribed method of due process for any overdimensional permit:

- 1. Denied.

Arizona Administrative Register
Notices of Proposed Rulemaking

2. Confiscated.
3. Canceled, or
4. Revoked.

ARTICLE 2. PERMIT CLASSES

R17-6-201. Class A

MVD shall issue a class A permit according to the following schedule:

<u>Vehicle-load description</u>	<u>A non-reducible specified load over legal threshold as prescribed under R17-6-102 - Table 1 to a maximum:</u>	
	<u>Height</u>	<u>16'</u>
	<u>Overall length</u>	<u>120'</u>
	<u>Width</u>	<u>14'</u>
	<u>Weight</u>	<u>250,000 lbs.</u>
<u>Permit option</u>	<u>Single trip: 96-hour maximum</u> <u>Multiple trip: 30-day maximum</u>	
<u>Standard permit fee</u>	<u>Single trip</u>	<u>\$15</u>
	<u>Multiple trip</u>	<u>\$30</u>
<u>Over-weight permit fee</u>	<u>Single trip</u>	<u>\$75</u>
	<u>Multiple trip</u>	<u>\$75</u>

R17-6-202. Class B

MVD shall issue a class B permit according to the following schedule:

<u>Vehicle-load description</u>	<u>A non-reducible, specified load excluding cranes and drill rigs over legal threshold as prescribed under R17-6-102 - Table 1 to a maximum:</u>	
	<u>Height</u>	<u>14' 8"</u>
	<u>Overall length</u>	<u>80'</u>
	<u>Width</u>	<u>12' 6"</u>
	<u>Weight</u>	<u>80,000 lbs.</u>
<u>Permit option</u>	<u>Multiple trip: 1 year</u>	
<u>Fee</u>	<u>\$360</u>	

Arizona Administrative Register
Notices of Proposed Rulemaking

R17-6-203. **Class B, Type R**

MVD shall issue a class B, Type R permit according to the following schedule:

<u>Vehicle-load description</u>	<u>A commercial transporter hauling or driving a recreational vehicle with appurtenances wider than 8'6"</u>
<u>Permit option</u>	<u>25 original multiple-trip permits with a one-year validity</u>
<u>Fee</u>	<u>\$360</u>

R17-6-204. **Class C**

MVD shall issue a class C permit according to the following schedule:

<u>Vehicle-load description</u>	<u>A non-reducible load that exceeds dimensions and weights of all other permit classes or proposes operation on a restricted route.</u>	
<u>Permit option – requires pre-approval by ADOT-ITD Maintenance Permits Services</u>	<u>Specific applicant-designated load as required under R17-6-104(B)</u>	<u>Single trip only</u>
<u>Standard permit fee</u>	<u>Single trip, height or width no greater than 18'</u>	<u>\$15, plus \$15 service charge</u>
	<u>Single trip, height or width greater than 18'</u>	<u>\$15, plus \$25 service charge</u>
<u>Overweight permit fee</u>	<u>Single trip, height or width no greater than 18'</u>	<u>\$75, plus \$15 service charge</u>
	<u>Single trip, height or width greater than 18'</u>	<u>\$75, plus \$25 service charge</u>

R17-6-205. **Class D**

MVD shall issue a class D permit according to the following schedule:

<u>Vehicle-load description</u>	<u>A self-propelled mobile crane, drilling rig, or specialty equipment meeting dimensional requirements prescribed under R17-6-201. Vehicles of this type exceeding R17-6-201 prescribed dimensions require a permit as prescribed under R17-6-204. Before the Department issues a permit under this class, an applicant shall submit documentation certifying load weight.</u>
<u>Permit option</u>	<u>Multiple trip: 1 year</u>
<u>Fee</u>	<u>\$600</u>

Arizona Administrative Register
Notices of Proposed Rulemaking

R17-6-206. Class E

A. MVD shall issue a permit to an LCV in this class only at a state port of entry as follows:

1. Fredonia.
2. Page.
3. St. George, or
4. Teec Nos Pos.

B. An LCV permitted in this class shall comply with federal bridge formula B limits as prescribed under A.R.S. § 28-1100(A)(4).

C. MVD shall issue a class E permit according to the types and restrictions listed in Table 2:

Table 2. Class E Permit Types

<u>Type</u>	<u>Length</u>	<u>Permit Routes</u>	<u>Gross Weight in Pounds</u>	<u>Fee</u>
<u>A</u>	<u>92'</u>	<u>All of I-15 and within 20 miles of the Arizona-Utah state line on US 89, US89A, SR98, US160, US163, and SR389</u>	<u>111,000</u>	<u>\$360 per year</u>
<u>B</u>	<u>92'</u>	<u>US 64, US89A, US160, US163, and SR389 within 20 miles of the Arizona-Utah state line</u>	<u>121,000 on 9 axles; 123,500 on 10 axles</u>	<u>\$360 per year</u>
<u>C</u>	<u>105' on I-15 92' other routes</u>	<u>All of I-15 and within 20 miles of the Arizona-Utah state line on US 89, US89A, US160, US163, and SR389</u>	<u>111,000</u>	<u>\$75 per single trip and 30-day; or \$360 per year</u>
<u>D</u>	<u>105'</u>	<u>I-15 only</u>	<u>129,000</u>	<u>\$75 per single trip and 30-day; or \$600 per year</u>

See also Table 4 under R17-6-412 for approved highways for a vehicle permitted under this class.

R17-6-207. Class F

MVD shall issue a class F permit according to the following schedule:

<u>Vehicle-load description</u>	<u>Overheight: Applicable only to a reducible load transport on a 13'6" height-restricted highway. Maximum permitted height: 14', all other dimensions within thresholds prescribed under R17-6-102 -Table 1</u>	
<u>Permit option</u>	<u>Single trip: 96-hour maximum</u>	
	<u>Multiple trip: 1 year</u>	
<u>Fee</u>	<u>Single trip</u>	<u>\$15</u>
	<u>Multiple trip</u>	<u>\$45</u>

Arizona Administrative Register
Notices of Proposed Rulemaking

R17-6-208. **Class G**

MVD shall issue a class G permit according to the following schedule:

<u>Vehicle-load description</u>	<u>Overwidth: A reducible, specified load exceeding legal width threshold as prescribed under R17-6-102 – Table 1 to a maximum of 10 feet</u>	
<u>Permit option</u>	<u>Single trip: 96-hour maximum</u>	
	<u>Multiple trip: 30-day maximum</u>	
	<u>Multiple trip: 1 year</u>	
<u>Fee</u>	<u>Single trip</u>	<u>\$15</u>
	<u>Multiple trip, 30 day</u>	<u>\$30</u>
	<u>Multiple trip, 1 year</u>	<u>\$360</u>

R17-6-209. **Class H**

MVD shall issue a class H permit according to the following schedule:

<u>Vehicle-load description</u>	<u>A specified watercraft load registered with Arizona Game & Fish or US Coast Guard no wider than 10 feet and all other dimensions within thresholds prescribed under R17-6-102 – Table 1</u>	
<u>Permit option</u>	<u>Multiple trip: 1 year</u>	
<u>Fee</u>	<u>\$45</u>	

R17-6-210 **Envelope Permit**

A. MVD shall issue an envelope permit according to the following schedule:

<u>Vehicle-load description</u>	<u>A load meeting the description under envelope permit definitions in R17-6-101(8) and (9)</u>	
<u>Permit option</u>	<u>30-day oversize only</u>	
	<u>30-day overweight</u>	
	<u>Annual oversize only</u>	
	<u>Annual oversize and overweight</u>	
<u>Fee</u>	<u>30-day oversize only</u>	<u>\$150</u>
	<u>30-day overweight</u>	<u>\$500</u>
	<u>Annual oversize only</u>	<u>\$750</u>
	<u>Annual oversize and overweight</u>	<u>\$1,500</u>

B. MVD assesses an additional service charge for the following:

1. A modified permit duplicate: \$25; and
2. Each additional power unit exceeding the original number of permitted power units: \$50.

Arizona Administrative Register
Notices of Proposed Rulemaking

R17-6-211. Manufactured Home Permit Book

A. MVD shall issue a book of manufactured home transport permits according to the following schedule:

<u>Vehicle-load description</u>	<u>A self-issued manufactured home over legal threshold as prescribed under R17-6-102 - Table 1 to a maximum:</u>	
	<u>Height</u>	<u>16'</u>
	<u>Overall length</u>	<u>120'</u>
	<u>Width</u>	<u>16'</u>
	<u>Weight</u>	<u>80,000 lbs.</u>
<u>Permit period</u>	<u>A voucher book of 50 single trips</u>	
<u>Fee</u>	<u>\$750</u>	

B. Travel restrictions. A permittee under this Section shall restrict transport as follows:

1. For a permittee of a manufactured home up to 14 feet wide, all highway restrictions prescribed under R17-6-412 – Table 4 apply.
2. For a permittee of a manufactured home with dimensions from 14 feet, 1 inch to 16 feet wide, the Special Movement column prescribed under R17-6-412 – Table 4 applies. The permittee shall be accompanied by a front and a rear escort.
3. If a transporter of a manufactured home with dimensions from 14 feet, 1 inch to 16 feet intends to transport on any highway not prescribed under R17-6-412 – Table 4 Special Movement column, the transporter shall apply for a permit under R17-6-204.

C. Special limitation. No permittee shall use a permit issued under this Section for operation on a highway under construction or repair unless the permittee obtains specific clearance from an ADOT highway project engineer for a permittee's proposed route as prescribed under R17-6-412(B)(2).

D. Permit distribution. When a permittee uses a three-part self-issue manufactured home permit, the permittee shall:

1. Attach the white original manufactured home permit so it is clearly visible from a transported manufactured home's:
 - a. Rear window, or
 - b. Rearmost left-side window if the transported manufactured home has no rear window;
2. Mail the following to the address prescribed under R17-6-101(B)(4):
 - a. The yellow duplicate copy manufactured home permit, and
 - b. Any county-assessor issued clearance form indicating permittee payment of Ad Valorem taxes and fees;
3. Retain the pink triplicate copy manufactured home permit in original booklet binding at the permittee's established place of business.

ARTICLE 3. SAFETY REQUIREMENTS

R17-6-301. General Safety Requirements

In addition to the provisions of this Article, a permittee under this Chapter shall observe any applicable safety requirement for a motor carrier operating in Arizona prescribed under 49 CFR as incorporated by reference in R17-5-202 through R17-5-209.

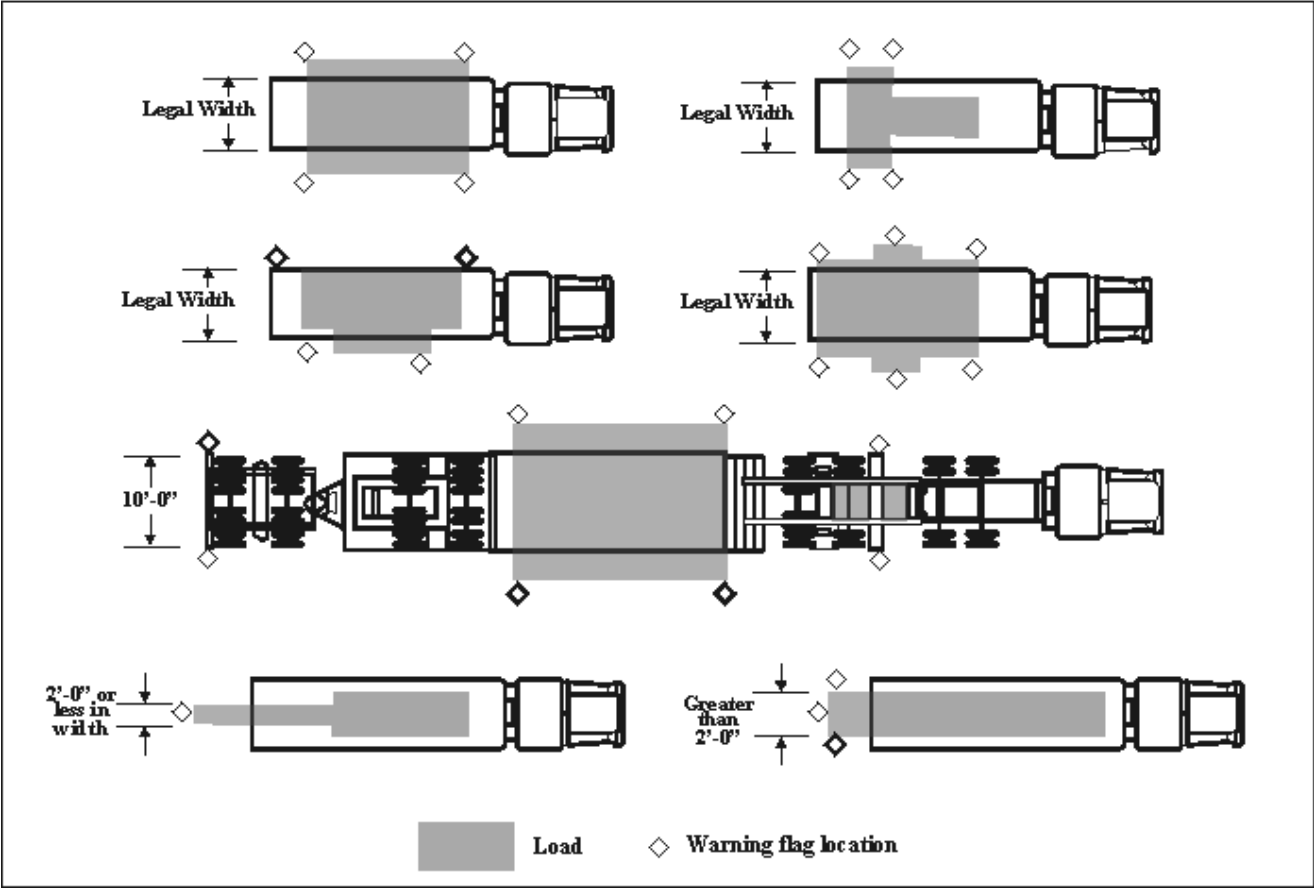
R17-6-302. Warning Flag Requirements

A. Specifications. Each warning flag attached to an overdimensional permitted vehicle shall have the following characteristics:

1. Red- or florescent orange-colored cloth or plastic, and
2. At least 12 inches square.

B. Display. A permittee of an overdimensional vehicle or load shall conform warning flag display to the requirements prescribed in Illustration 1 most closely corresponding to the permittee's vehicle and load configuration.

Illustration 1: WARNING FLAG CONFIGURATIONS

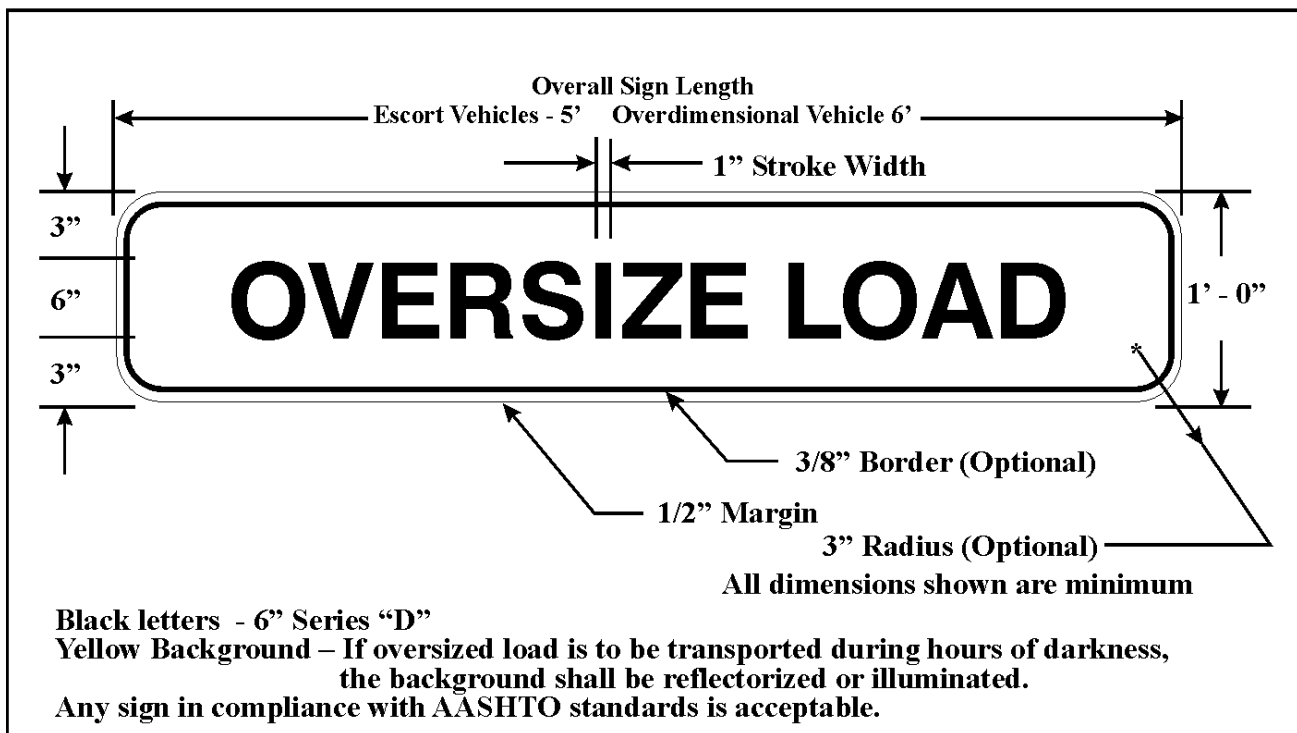


Arizona Administrative Register
Notices of Proposed Rulemaking

R17-6-303. Sign Requirements

- A.** A permittee shall ensure that an overdimensional vehicle or load displays an “OVERSIZE LOAD” sign if the vehicle:
1. Is wider than 8’6”, or
 2. Transports a load of 9 feet or wider.
- B.** The Department shall require display of an “OVERSIZE LOAD” sign by any overdimensional permitted vehicle or load not specified under subsection (A).
- C.** An “OVERSIZE LOAD” sign shall meet construction specifications prescribed under Illustration 2 at a minimum.
- D.** A permittee shall display a required “OVERSIZE LOAD” sign that is:
1. Perpendicular to the road surface.
 2. Readable from left to right, and
 3. Clearly visible from the vehicle’s front and rear.
- E.** A permittee of an overdimensional vehicle or load shall display a required “OVERSIZE LOAD” sign that is:
1. On the front or roof of the towing vehicle.
 2. On the rear of the load or loaded vehicle, and
 3. In compliance with every other provision prescribed under subsection (D)
- F.** If a permittee required to display an “OVERSIZE LOAD” sign is not transporting an overdimensional load, the permittee shall ensure each sign is not visible to traffic.

Illustration 2: OVERSIZED LOAD SIGN



R17-6-304. Lighting Device Requirements

A permittee of an overdimensional vehicle or load shall:

1. Comply with lighting equipment requirements of 49 CFR § 393 as incorporated by reference under R17-5-202(A), and
2. Operate with lighting equipment illuminated as prescribed under A.R.S. § 28-922.

R17-6-305. Escort Vehicles

A. Service requirement.

1. When required by the Department, a permittee of an overdimensional vehicle or load shall have escort vehicle accompaniment when transporting on a highway prescribed under R17-6-412 – Table 4.
2. The Department shall base its decision to require an overdimensional permitted vehicle to be accompanied by one or more escort vehicles on:

Arizona Administrative Register
Notices of Proposed Rulemaking

- a. Proposed transport route:
 - i. Highway width,
 - ii. Surface condition, and
 - iii. Grade.
- b. Load size,
- c. Need for frequent stops, or
- d. Concern for public safety.
- 3. In accordance with the criteria applicable under subsection (A)(2), the Department shall require 2 or more overdimensional permitted vehicles travelling together to be accompanied by at least 1 escort vehicle per load.

B. Vehicle qualification and equipment.

- 1. A vehicle qualifies as an escort vehicle if it:
 - a. Is a passenger car or 2-axle truck not exceeding 20,000 pounds, and
 - b. Has valid vehicle registration.
- 2. An escort vehicle operator shall possess:
 - a. Warning flags for an overdimensional vehicle or load:
 - i. Manufactured to specifications prescribed under R17-6-302(A), and
 - ii. Displayed as prescribed under R17-6-302(B).
 - b. Warning lights as prescribed under A.R.S. § 28-947(D).
 - c. An "OVERSIZE LOAD" sign:
 - i. Constructed as prescribed under R17-6-303(C),
 - ii. Mounted above the vehicle's roofline,
 - iii. Displayed as prescribed under R17-6-303(D), and
 - iv. Not visible when not in use.
 - d. A two-way radio:
 - i. Capable of transmitting and receiving a minimum of one-half mile, and
 - ii. Compatible with each two-way radio in an accompanying escort or towing vehicle.
 - e. Emergency equipment as follows:
 - i. No fewer than eight flares; and
 - ii. Two emergency staff-mounted warning flags manufactured to specifications prescribed under R17-6-302(A).

C. Operation.

- 1. Lighting requirement. While in service, an escort vehicle operator shall maintain continuous illumination of head-lights and warning lights.
- 2. Lead- and follow-distance.
 - a. On an open highway, except when visual contact cannot be maintained, an escort vehicle operator shall maintain a lead- or follow-distance of no greater than 1,000 feet from the escorted vehicle.
 - b. In an urban setting, an escort vehicle operator shall maintain a lead- or follow-distance of no greater than 250 feet from the escorted vehicle.
- 3. Stop provisions at a traffic signal-controlled intersection.
 - a. When a load-bearing vehicle is required to stop, the lead escort vehicle operator shall stop safely on the right-hand roadside after proceeding through the intersection. The lead escort vehicle operator shall resume normal lead distance after the load bearing vehicle clears the intersection.
 - b. When a following escort vehicle is required to stop, the operator of a load-bearing vehicle shall proceed without stopping. The following escort vehicle operator shall resume its normal distance behind the load-bearing vehicle after clearing an intersection.

R17-6-306. Traffic Control Provisions

In consideration of a permitted vehicle's overall dimensions, the Department may require traffic control by the Arizona Department of Public Safety or other means to ensure public highway safety. If the Department requires traffic control measures as a term for a vehicle's overdimensional permit approval, the applicant shall submit to the Department a detailed traffic control plan for the entire proposed trip with the application.

R17-6-307. Projecting Loads

- A.** The Department shall require a class C permit for any vehicle load that projects more than 3 feet from the side of the vehicle.
- B.** The Department shall require a class A permit for any vehicle load that projects:
 - 1. No more than 3 feet from either side of the vehicle when a projecting object has a thickness of 12 inches or greater, or
 - 2. No more than 2 feet from either side of the vehicle when a projecting object is less than 12 inches thick.
- C.** A permit applicant for a manufactured home unit under class A shall not have:

Arizona Administrative Register
Notices of Proposed Rulemaking

1. A measured box width greater than 14 feet, and
2. An eave of greater than 2 feet projecting on the unit's side facing the roadway.
- D.** Escort vehicle requirement. A permittee of a vehicle with a projecting load shall have an escort vehicle accompaniment as follows:
 1. A front escort vehicle if the front load projection is longer than 20 feet, or
 2. A rear escort vehicle if rear projection is longer than 20 feet.
- E.** A permittee of a vehicle or load with greater than 4 feet front or rear overhang shall:
 1. Attach a warning flag to the load during daylight operations, or
 2. Attach safety lighting during nighttime operation.
- F.** An integral component removed from a loaded primary object may be transported on the same vehicle bearing the primary object providing the component does not cause the hauling unit to exceed:
 1. Maximum permitted gross weight;
 2. Maximum permitted axle weight; or
 3. Maximum permitted width.

ARTICLE 4. TRANSPORT RESTRICTIONS

R17-6-401. General Highway Operations

A permittee of an overdimensional vehicle or load shall:

1. Operate no earlier than one-half hour before sunrise and no later than one-half hour after sunset, exact daily times as defined under R17-1-101(B)(25), except as prescribed in R17-6-409, or unless the Department:
 - a. Restricts operation on a highway or during a time prescribed under this Article; or
 - b. Grants permit-specific alternate operation hours other than those listed under this subsection as a necessary condition to maintain highway safety;
2. Operate in the rightmost lane of a multi-lane highway except to overtake and pass another vehicle.
3. Maintain a minimum distance of 2,000 feet from another overdimensional permitted vehicle when traveling on the same highway in the same direction except when passing; and
4. Replace any state-owned highway feature moved along a traveled route.

R17-6-402. Speed Restriction

A. A permittee of an overdimensional vehicle or load shall not exceed the lower maximum speed determined by either of the following:

1. A speed limit printed on an issued permit, or
2. A highway posted vehicle-specific speed limit.

B. The Department may order an alternative speed restriction to prevent:

1. Traffic hazard, or
2. Highway damage.

R17-6-403. Weather Restriction

A. Responsibility.

1. A permitted vehicle driver shall determine an unsafe roadway condition from criteria prescribed under subsection (B).
2. A permitted vehicle driver shall comply with any official agency weather-related travel advisory prohibiting overdimensional transport.

B. Determining conditions. Overdimensional load transport shall not occur according to the following criteria:

<u>Hazard Criterion</u>	<u>Possible Cause</u>
<u>Driver visibility range becomes less than 500 feet</u>	<u>Blowing dust</u> <u>Blowing snow</u> <u>Fog</u> <u>Heavy rain</u>
<u>Road surface condition reduces normal traction</u>	<u>Snow</u> <u>Ice</u> <u>Flooding</u>
<u>A load destabilizing condition endangers road surface or traffic</u>	<u>High winds</u> <u>Falling objects</u>

R17-6-404. Urban Transport

No permittee of a vehicle or load wider than 10 feet shall transport on a non-holiday Monday through Friday in:

Arizona Administrative Register
Notices of Proposed Rulemaking

1. Metropolitan Phoenix as defined under R17-6-101(B)(17) during the following hours, M.S.T. as defined under R17-6-101(B)(20):
 - a. 6:00 to 9:00 a.m., and
 - b. 4:00 to 7:00 p.m.
2. Metropolitan Tucson as defined under R17-6-101(B)(18) during the following hours, M.S.T. as defined under R17-6-101(B)(20):
 - a. 7:00 to 9:00 a.m., and
 - b. 4:00 to 6:00 p.m.

R17-6-405. Weekend Transport

A. This Section applies to a vehicle or load that does not exceed any of the following dimensions:

1. 16 feet wide;
2. 16 feet high;
3. 120 feet long; and
4. 250,000 pounds.

B. A permittee of a vehicle or load with dimensions less than or equal to those prescribed under subsection (A) may transport:

1. On any non-holiday weekend Saturday or Sunday;
2. From 3:00 a.m. until noon M.S.T.;
3. On selected routes as prescribed under R17-6-412 – Table 4; and
4. With applicable escort accompaniment as prescribed under R17-6-409(C).

C. A permittee of a vehicle or load with dimensions greater than those prescribed under R17-6-201 shall not transport on a Saturday or Sunday.

R17-6-406. Holiday Transport

A. The provisions of this Section only apply to an overdimensional vehicle or load with dimensions greater than:

1. 10 feet wide
2. 14.6 feet high
3. 10 feet long in front- or rear-overhang, or
4. 120 feet long.

B. A permittee shall not transport an overdimensional load described under subsection (A)(1) in Arizona on the following holidays as defined in A.R.S. § 1-301:

1. New Year's Day,
2. Memorial Day,
3. Independence Day,
4. Labor Day,
5. Thanksgiving Day, or
6. Christmas Day, and

C. A holiday restriction on transport as listed in subsection (B) also includes days before and after a holiday as follows:

1. When a holiday occurs on a Friday, transport shall stop on Thursday at noon and may resume on Monday at one-half hour before sunrise, or Monday at 3:00 a.m. if night movement is allowed under R17-6-409;
2. When a holiday occurs on a Saturday or Sunday, transport shall stop on Friday at noon and may resume on Monday at one-half hour before sunrise, or Monday at 3:00 a.m. if night movement is allowed under R17-6-409;
3. When a holiday occurs on a Monday, transport shall stop on Friday at noon and may resume on Tuesday at one-half hour before sunrise, or Tuesday at 3:00 a.m. if night movement is allowed under R17-6-409; and
4. Transport shall stop at noon of the day before a holiday and may resume on the day after a holiday at one-half hour before sunrise, or on the day after a holiday at 3:00 a.m. if night movement is allowed under R17-6-409, when a holiday occurs on:
 - a. Tuesday,
 - b. Wednesday, or
 - c. Thursday.

R17-6-407. Lake-specific Weekend and holiday Transport Exception

A permittee under class A that transports a personal watercraft load not wider than 12 feet may operate on a state or federal highway within 10 miles of an area constructed and maintained for the purpose of launching and retrieving watercraft for the following Arizona lakes:

1. Alamo,
2. Havas,
3. Mead,
4. Mohave,

Arizona Administrative Register
Notices of Proposed Rulemaking

- 5. Powell, or
- 6. Saguaro.

R17-6-408. Continuous Travel

- A.** A permittee of an overdimensional vehicle or load that is 10 feet wide or less may operate with continuous travel.
- B.** A permittee of an overdimensional vehicle or load with dimensions less than those prescribed below may operate with continuous travel except as prescribed under R17-6-404.
 - 1. 10 feet, 1 inch wide,
 - 2. 14.6 feet high,
 - 3. 10 feet long in front- or rear-overhang, or
 - 4. Longer than 120 feet overall.
- C.** Except during any time and location prohibited under R17-6-405 and R17-6-406, the Department shall allow continuous travel of a crane permitted as prescribed under R17-6-205 that does not exceed any of the following dimensions:
 - 1. 11 feet wide;
 - 2. 14 feet high; and
 - 3. 10 feet in overhang.

R17-6-409. Night Movement

- A.** This Section applies to a vehicle or load that does not exceed any of the following dimensions:
 - 1. 16 feet wide;
 - 2. 16 feet high;
 - 3. 120 feet long; and
 - 4. 250,000 pounds.
- B.** A permittee of a vehicle or load within limits prescribed under subsection (A) may transport:
 - 1. Beginning at 3:00 a.m. M.S.T. except on any day, route, or time restricted under R17-6-404 through R17-6-406;
 - 2. On selected routes prescribed under R17-6-412 – Table 4.
- C.** A permittee of a vehicle or load transporting under this Section, shall have escort vehicle accompaniment as follows:
 - 1. A rear escort for a vehicle or load with dimensions exceeding 11 feet wide to 14 feet wide;
 - 2. A front and rear escort for a vehicle or load with dimensions exceeding 14 feet 1 inch to 16 feet;
 - 3. A front escort with a height pole for a vehicle or load with a dimension exceeding 15 feet in height.

R17-6-410. Special Manufactured Home Towing Restriction

- A.** A vehicle towing a manufactured home shall have a factory rating that corresponds with the following criteria:

<u>Load measurement criteria</u>	<u>Towing vehicle factory rating</u>
<u>Less than 10 feet wide and less than 50 feet long including hitch</u>	<u>1.5 ton</u>
<u>Exceeds 10 feet wide or exceeds 50 feet long, or both</u>	<u>2 ton; 4 tires per drive axle and minimum 99-inch wheel base</u>

- B.** A manufactured home transporter shall cover the open side of a manufactured home module with plastic sheeting no thinner than 1.5 mil plus a rigid grillwork backing.

R17-6-411. Maximum Permitted Weights

The Department shall use formulas and computations prescribed in Table 3.01 through 3.09 and Illustration 3 to permit an overdimensional vehicle or load.

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 3.01. Maximum Permitted Weight Computations: 8-foot, 0-inch Axle Width
Overweight Axle Group Chart
Distance between the center of the front axle and the center of the rear axle of a given group.

			Inches											
			0	1	2	3	4	5	6	7	8	9	10	11
Feet	3	A	<u>28.000</u>	<u>28.000</u>	<u>28.000</u>	<u>28.000</u>	<u>28.000</u>	<u>28.000</u>	<u>45.675</u>	<u>45.763</u>	<u>45.850</u>	<u>45.938</u>	<u>46.025</u>	<u>46.113</u>
		B	<u>32.200</u>	<u>32.200</u>	<u>32.200</u>	<u>32.200</u>	<u>32.200</u>	<u>32.200</u>	<u>52.526</u>	<u>52.627</u>	<u>52.728</u>	<u>52.828</u>	<u>52.929</u>	<u>53.029</u>
	4	A	<u>46.200</u>	<u>46.288</u>	<u>46.375</u>	<u>46.463</u>	<u>46.550</u>	<u>46.638</u>	<u>46.725</u>	<u>46.813</u>	<u>46.900</u>	<u>46.988</u>	<u>47.075</u>	<u>47.163</u>
		B	<u>53.130</u>	<u>53.231</u>	<u>53.331</u>	<u>53.432</u>	<u>53.533</u>	<u>53.633</u>	<u>53.734</u>	<u>53.834</u>	<u>53.935</u>	<u>54.036</u>	<u>54.136</u>	<u>54.237</u>
	5	A	<u>47.250</u>	<u>47.338</u>	<u>47.425</u>	<u>47.513</u>	<u>47.600</u>	<u>47.688</u>	<u>47.775</u>	<u>47.863</u>	<u>47.950</u>	<u>48.038</u>	<u>48.125</u>	<u>48.213</u>
		B	<u>54.338</u>	<u>54.438</u>	<u>54.539</u>	<u>54.639</u>	<u>54.740</u>	<u>54.841</u>	<u>54.941</u>	<u>55.042</u>	<u>55.143</u>	<u>55.243</u>	<u>55.344</u>	<u>55.444</u>
	6	A	<u>48.300</u>	<u>48.388</u>	<u>48.475</u>	<u>48.563</u>	<u>48.650</u>	<u>48.738</u>	<u>48.825</u>	<u>48.913</u>	<u>49.000</u>	<u>49.088</u>	<u>49.175</u>	<u>49.263</u>
		B	<u>55.545</u>	<u>55.646</u>	<u>55.746</u>	<u>55.847</u>	<u>55.948</u>	<u>56.048</u>	<u>56.149</u>	<u>56.249</u>	<u>56.350</u>	<u>56.451</u>	<u>56.551</u>	<u>56.652</u>
	7	A	<u>49.350</u>	<u>49.438</u>	<u>49.525</u>	<u>49.613</u>	<u>49.700</u>	<u>49.788</u>	<u>49.875</u>	<u>49.963</u>	<u>50.050</u>	<u>50.138</u>	<u>50.225</u>	<u>50.313</u>
		B	<u>56.753</u>	<u>56.853</u>	<u>56.954</u>	<u>57.054</u>	<u>57.155</u>	<u>57.256</u>	<u>57.356</u>	<u>57.457</u>	<u>57.558</u>	<u>57.658</u>	<u>57.759</u>	<u>57.859</u>
	8	A	<u>50.400</u>	<u>50.488</u>	<u>50.575</u>	<u>50.663</u>	<u>50.750</u>	<u>50.838</u>	<u>50.925</u>	<u>51.013</u>	<u>51.100</u>	<u>51.188</u>	<u>51.275</u>	<u>51.363</u>
		B	<u>57.960</u>	<u>58.061</u>	<u>58.161</u>	<u>58.262</u>	<u>58.363</u>	<u>58.463</u>	<u>58.564</u>	<u>58.664</u>	<u>58.765</u>	<u>58.866</u>	<u>58.966</u>	<u>59.067</u>
	9	A	<u>51.450</u>	<u>51.538</u>	<u>51.625</u>	<u>51.713</u>	<u>51.800</u>	<u>51.888</u>	<u>51.975</u>	<u>52.063</u>	<u>52.150</u>	<u>52.238</u>	<u>52.325</u>	<u>52.413</u>
		B	<u>59.168</u>	<u>59.268</u>	<u>59.369</u>	<u>59.469</u>	<u>59.570</u>	<u>59.671</u>	<u>59.771</u>	<u>59.872</u>	<u>59.973</u>	<u>60.073</u>	<u>60.174</u>	<u>60.274</u>
	10	A	<u>52.500</u>	<u>52.588</u>	<u>52.675</u>	<u>52.763</u>	<u>52.850</u>	<u>52.938</u>	<u>53.025</u>	<u>53.113</u>	<u>53.200</u>	<u>53.288</u>	<u>53.375</u>	<u>53.463</u>
		B	<u>60.375</u>	<u>60.476</u>	<u>60.576</u>	<u>60.677</u>	<u>60.778</u>	<u>60.878</u>	<u>60.979</u>	<u>61.079</u>	<u>61.180</u>	<u>61.281</u>	<u>61.381</u>	<u>61.482</u>
	11	A	<u>53.550</u>	<u>53.638</u>	<u>53.725</u>	<u>53.813</u>	<u>53.900</u>	<u>53.988</u>	<u>54.075</u>	<u>54.163</u>	<u>54.250</u>	<u>54.338</u>	<u>54.425</u>	<u>54.513</u>
		B	<u>61.583</u>	<u>61.683</u>	<u>61.784</u>	<u>61.884</u>	<u>61.985</u>	<u>62.086</u>	<u>62.186</u>	<u>62.287</u>	<u>62.388</u>	<u>62.488</u>	<u>62.589</u>	<u>62.689</u>
	12	A	<u>54.600</u>	<u>54.688</u>	<u>54.775</u>	<u>54.863</u>	<u>54.950</u>	<u>55.038</u>	<u>55.125</u>	<u>55.213</u>	<u>55.300</u>	<u>55.388</u>	<u>55.475</u>	<u>55.563</u>
		B	<u>62.790</u>	<u>62.891</u>	<u>62.991</u>	<u>63.092</u>	<u>63.193</u>	<u>63.293</u>	<u>63.394</u>	<u>63.494</u>	<u>63.595</u>	<u>63.696</u>	<u>63.796</u>	<u>63.897</u>
	13	A	<u>55.650</u>	<u>55.738</u>	<u>55.825</u>	<u>55.913</u>	<u>56.000</u>	<u>56.088</u>	<u>56.175</u>	<u>56.263</u>	<u>56.350</u>	<u>56.438</u>	<u>56.525</u>	<u>56.613</u>
		B	<u>63.998</u>	<u>64.098</u>	<u>64.199</u>	<u>64.299</u>	<u>64.400</u>	<u>64.501</u>	<u>64.601</u>	<u>64.702</u>	<u>64.803</u>	<u>64.903</u>	<u>65.004</u>	<u>65.104</u>
	14	A	<u>56.700</u>	<u>56.788</u>	<u>56.875</u>	<u>56.963</u>	<u>57.050</u>	<u>57.138</u>	<u>57.225</u>	<u>57.313</u>	<u>57.400</u>	<u>57.488</u>	<u>57.575</u>	<u>57.663</u>
		B	<u>65.205</u>	<u>65.306</u>	<u>65.406</u>	<u>65.507</u>	<u>65.608</u>	<u>65.708</u>	<u>65.809</u>	<u>65.909</u>	<u>66.010</u>	<u>66.111</u>	<u>66.211</u>	<u>66.312</u>
	15	A	<u>57.750</u>	<u>57.838</u>	<u>57.925</u>	<u>58.013</u>	<u>58.100</u>	<u>58.188</u>	<u>58.275</u>	<u>58.363</u>	<u>58.450</u>	<u>58.538</u>	<u>58.625</u>	<u>58.713</u>
		B	<u>66.413</u>	<u>66.513</u>	<u>66.614</u>	<u>66.714</u>	<u>66.815</u>	<u>66.916</u>	<u>67.016</u>	<u>67.117</u>	<u>67.218</u>	<u>67.318</u>	<u>67.419</u>	<u>67.519</u>
	16	A	<u>58.800</u>	<u>58.888</u>	<u>58.975</u>	<u>59.063</u>	<u>59.150</u>	<u>59.238</u>	<u>59.325</u>	<u>59.413</u>	<u>59.500</u>	<u>59.588</u>	<u>59.675</u>	<u>59.763</u>
		B	<u>67.620</u>	<u>67.721</u>	<u>67.821</u>	<u>67.922</u>	<u>68.023</u>	<u>68.123</u>	<u>68.224</u>	<u>68.324</u>	<u>68.425</u>	<u>68.526</u>	<u>68.626</u>	<u>68.727</u>
	17	A	<u>59.850</u>	<u>59.938</u>	<u>60.025</u>	<u>60.113</u>	<u>60.200</u>	<u>60.288</u>	<u>60.375</u>	<u>60.463</u>	<u>60.550</u>	<u>60.638</u>	<u>60.725</u>	<u>60.813</u>
		B	<u>68.828</u>	<u>68.928</u>	<u>69.029</u>	<u>69.129</u>	<u>69.230</u>	<u>69.331</u>	<u>69.431</u>	<u>69.532</u>	<u>69.633</u>	<u>69.733</u>	<u>69.834</u>	<u>69.934</u>
	18	A	<u>60.900</u>											
		B	<u>70.035</u>											

Computation Formula: Weight = 1.5 X 700 (L + 40)

(L = Distance between the center of the front axle and the center of the rear axle of a given group.)

Legend:

Line A:-4 tires per axle or 2) 14 inch wide tires. Value is the formula only

Line B:-8 tires per axle or 4) 14 inch wide tires. Value is the formula plus 15.%.

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 3.02. Maximum Permitted Weight Computations: 8-foot, 3-inch Axle Width
Overweight Axle Group Chart
Distance between the center of the front axle and the center of the rear axle of a given group.

			Inches											
			0	1	2	3	4	5	6	7	8	9	10	11
Feet	3	A	<u>28.525</u>	<u>28.525</u>	<u>28.525</u>	<u>28.525</u>	<u>28.525</u>	<u>28.525</u>	<u>46.531</u>	<u>46.621</u>	<u>46.710</u>	<u>46.799</u>	<u>46.888</u>	<u>46.977</u>
		B	<u>32.550</u>	<u>32.550</u>	<u>32.550</u>	<u>32.550</u>	<u>32.550</u>	<u>32.550</u>	<u>53.097</u>	<u>53.199</u>	<u>53.301</u>	<u>53.402</u>	<u>53.504</u>	<u>53.606</u>
	4	A	<u>47.066</u>	<u>47.155</u>	<u>47.245</u>	<u>47.334</u>	<u>47.423</u>	<u>47.512</u>	<u>47.601</u>	<u>47.690</u>	<u>47.779</u>	<u>47.869</u>	<u>47.958</u>	<u>48.047</u>
		B	<u>53.708</u>	<u>53.809</u>	<u>53.911</u>	<u>54.013</u>	<u>54.114</u>	<u>54.216</u>	<u>54.318</u>	<u>54.420</u>	<u>54.521</u>	<u>54.623</u>	<u>54.725</u>	<u>54.826</u>
	5	A	<u>48.136</u>	<u>48.225</u>	<u>48.314</u>	<u>48.403</u>	<u>48.493</u>	<u>48.582</u>	<u>48.671</u>	<u>48.760</u>	<u>48.849</u>	<u>48.938</u>	<u>49.027</u>	<u>49.116</u>
		B	<u>54.928</u>	<u>55.030</u>	<u>55.132</u>	<u>55.233</u>	<u>55.335</u>	<u>55.437</u>	<u>55.538</u>	<u>55.640</u>	<u>55.742</u>	<u>55.844</u>	<u>55.945</u>	<u>56.047</u>
	6	A	<u>49.206</u>	<u>49.295</u>	<u>49.384</u>	<u>49.473</u>	<u>49.562</u>	<u>49.651</u>	<u>49.740</u>	<u>49.830</u>	<u>49.919</u>	<u>50.008</u>	<u>50.097</u>	<u>50.186</u>
		B	<u>56.149</u>	<u>56.250</u>	<u>56.352</u>	<u>56.454</u>	<u>56.556</u>	<u>56.657</u>	<u>56.759</u>	<u>56.861</u>	<u>56.963</u>	<u>57.064</u>	<u>57.166</u>	<u>57.268</u>
	7	A	<u>50.275</u>	<u>50.364</u>	<u>50.454</u>	<u>50.543</u>	<u>50.632</u>	<u>50.721</u>	<u>50.810</u>	<u>50.899</u>	<u>50.988</u>	<u>51.078</u>	<u>51.167</u>	<u>51.256</u>
		B	<u>57.369</u>	<u>57.471</u>	<u>57.573</u>	<u>57.675</u>	<u>57.776</u>	<u>57.878</u>	<u>57.980</u>	<u>58.081</u>	<u>58.183</u>	<u>58.285</u>	<u>58.387</u>	<u>58.488</u>
	8	A	<u>51.345</u>	<u>51.434</u>	<u>51.523</u>	<u>51.612</u>	<u>51.702</u>	<u>51.791</u>	<u>51.880</u>	<u>51.969</u>	<u>52.058</u>	<u>52.147</u>	<u>52.236</u>	<u>52.326</u>
		B	<u>58.590</u>	<u>58.692</u>	<u>58.793</u>	<u>58.895</u>	<u>58.997</u>	<u>59.099</u>	<u>59.200</u>	<u>59.302</u>	<u>59.404</u>	<u>59.505</u>	<u>59.607</u>	<u>59.709</u>
	9	A	<u>52.415</u>	<u>52.504</u>	<u>52.593</u>	<u>52.682</u>	<u>52.771</u>	<u>52.860</u>	<u>52.950</u>	<u>53.039</u>	<u>53.128</u>	<u>53.217</u>	<u>53.306</u>	<u>53.395</u>
		B	<u>59.811</u>	<u>59.912</u>	<u>60.014</u>	<u>60.116</u>	<u>60.218</u>	<u>60.319</u>	<u>60.421</u>	<u>60.523</u>	<u>60.624</u>	<u>60.726</u>	<u>60.828</u>	<u>60.930</u>
	10	A	<u>53.484</u>	<u>53.574</u>	<u>53.663</u>	<u>53.752</u>	<u>53.841</u>	<u>53.930</u>	<u>54.019</u>	<u>54.108</u>	<u>54.198</u>	<u>54.287</u>	<u>54.376</u>	<u>54.465</u>
		B	<u>61.031</u>	<u>61.133</u>	<u>61.235</u>	<u>61.336</u>	<u>61.438</u>	<u>61.540</u>	<u>61.642</u>	<u>61.743</u>	<u>61.845</u>	<u>61.947</u>	<u>62.048</u>	<u>62.150</u>
	11	A	<u>54.554</u>	<u>54.643</u>	<u>54.732</u>	<u>54.821</u>	<u>54.911</u>	<u>55.000</u>	<u>55.089</u>	<u>55.178</u>	<u>55.267</u>	<u>55.356</u>	<u>55.445</u>	<u>55.535</u>
		B	<u>62.252</u>	<u>62.354</u>	<u>62.455</u>	<u>62.557</u>	<u>62.659</u>	<u>62.760</u>	<u>62.862</u>	<u>62.964</u>	<u>63.066</u>	<u>63.167</u>	<u>63.269</u>	<u>63.371</u>
	12	A	<u>55.624</u>	<u>55.713</u>	<u>55.802</u>	<u>55.891</u>	<u>55.980</u>	<u>56.069</u>	<u>56.159</u>	<u>56.248</u>	<u>56.337</u>	<u>56.426</u>	<u>56.515</u>	<u>56.604</u>
		B	<u>63.473</u>	<u>63.574</u>	<u>63.676</u>	<u>63.778</u>	<u>63.879</u>	<u>63.981</u>	<u>64.083</u>	<u>64.185</u>	<u>64.286</u>	<u>64.388</u>	<u>64.490</u>	<u>64.591</u>
	13	A	<u>56.693</u>	<u>56.783</u>	<u>56.872</u>	<u>56.961</u>	<u>57.050</u>	<u>57.139</u>	<u>57.228</u>	<u>57.317</u>	<u>57.407</u>	<u>57.496</u>	<u>57.585</u>	<u>57.674</u>
		B	<u>64.693</u>	<u>64.795</u>	<u>64.897</u>	<u>64.998</u>	<u>65.100</u>	<u>65.202</u>	<u>65.303</u>	<u>65.405</u>	<u>65.507</u>	<u>65.609</u>	<u>65.710</u>	<u>65.812</u>
	14	A	<u>57.763</u>	<u>57.852</u>	<u>57.941</u>	<u>58.031</u>	<u>58.120</u>	<u>58.209</u>	<u>58.298</u>	<u>58.387</u>	<u>58.476</u>	<u>58.565</u>	<u>58.655</u>	<u>58.744</u>
		B	<u>65.914</u>	<u>66.015</u>	<u>66.117</u>	<u>66.219</u>	<u>66.321</u>	<u>66.422</u>	<u>66.524</u>	<u>66.626</u>	<u>66.728</u>	<u>66.829</u>	<u>66.931</u>	<u>67.033</u>
	15	A	<u>58.833</u>	<u>58.922</u>	<u>59.011</u>	<u>59.100</u>	<u>59.189</u>	<u>59.279</u>	<u>59.368</u>	<u>59.457</u>	<u>59.546</u>	<u>59.635</u>	<u>59.724</u>	<u>59.813</u>
		B	<u>67.134</u>	<u>67.236</u>	<u>67.338</u>	<u>67.440</u>	<u>67.541</u>	<u>67.643</u>	<u>67.745</u>	<u>67.846</u>	<u>67.948</u>	<u>68.050</u>	<u>68.152</u>	<u>68.253</u>
	16	A	<u>59.903</u>	<u>59.992</u>	<u>60.081</u>	<u>60.170</u>	<u>60.259</u>	<u>60.348</u>	<u>60.437</u>	<u>60.526</u>	<u>60.616</u>	<u>60.705</u>	<u>60.794</u>	<u>60.883</u>
		B	<u>68.355</u>	<u>68.457</u>	<u>68.558</u>	<u>68.660</u>	<u>68.762</u>	<u>68.864</u>	<u>68.965</u>	<u>69.067</u>	<u>69.169</u>	<u>69.270</u>	<u>69.372</u>	<u>69.474</u>
	17	A	<u>60.972</u>	<u>61.061</u>	<u>61.150</u>	<u>61.240</u>	<u>61.329</u>	<u>61.418</u>	<u>61.507</u>	<u>61.596</u>	<u>61.685</u>	<u>61.774</u>	<u>61.864</u>	<u>61.953</u>
		B	<u>69.576</u>	<u>69.677</u>	<u>69.779</u>	<u>69.881</u>	<u>69.983</u>	<u>70.084</u>	<u>70.186</u>	<u>70.288</u>	<u>70.389</u>	<u>70.491</u>	<u>70.593</u>	<u>70.695</u>
	18	A	<u>62.042</u>											
		B	<u>70.796</u>											

Computation Formula: Weight = 1.5 X 700 (L + 40)

(L = Distance between the center of the front axle and the center of the rear axle of a given group.)

Legend:

Line A:-4 tires per axle or 2) 14 inch wide tires. Value is the formula plus 1.875%.

Line B:-8 tires per axle or 4) 14 inch wide tires. Value is the formula plus 16.25%.

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 3.03. Maximum Permitted Weight Computations: 8-foot, 6-inch Axle Width
Overweight Axle Group Chart
Distance between the center of the front axle and the center of the rear axle of a given group.

			Inches											
			0	1	2	3	4	5	6	7	8	9	10	11
Feet	3	A	<u>29.050</u>	<u>29.050</u>	<u>29.050</u>	<u>29.050</u>	<u>29.050</u>	<u>29.050</u>	<u>47.388</u>	<u>47.479</u>	<u>47.569</u>	<u>47.660</u>	<u>47.751</u>	<u>47.842</u>
		B	<u>32.900</u>	<u>32.900</u>	<u>32.900</u>	<u>32.900</u>	<u>32.900</u>	<u>32.900</u>	<u>53.668</u>	<u>53.771</u>	<u>53.874</u>	<u>53.977</u>	<u>54.079</u>	<u>54.182</u>
	4	A	<u>47.933</u>	<u>48.023</u>	<u>48.114</u>	<u>48.205</u>	<u>48.296</u>	<u>48.386</u>	<u>48.477</u>	<u>48.568</u>	<u>48.659</u>	<u>48.750</u>	<u>48.840</u>	<u>48.931</u>
		B	<u>54.285</u>	<u>54.388</u>	<u>54.491</u>	<u>54.593</u>	<u>54.696</u>	<u>54.799</u>	<u>54.902</u>	<u>55.005</u>	<u>55.108</u>	<u>55.210</u>	<u>55.313</u>	<u>55.416</u>
	5	A	<u>49.022</u>	<u>49.113</u>	<u>49.203</u>	<u>49.294</u>	<u>49.385</u>	<u>49.476</u>	<u>49.567</u>	<u>49.657</u>	<u>49.748</u>	<u>49.839</u>	<u>49.930</u>	<u>50.020</u>
		B	<u>55.519</u>	<u>55.622</u>	<u>55.724</u>	<u>55.827</u>	<u>55.930</u>	<u>56.033</u>	<u>56.136</u>	<u>56.238</u>	<u>56.341</u>	<u>56.444</u>	<u>56.547</u>	<u>56.650</u>
	6	A	<u>50.111</u>	<u>50.202</u>	<u>50.293</u>	<u>50.384</u>	<u>50.474</u>	<u>50.565</u>	<u>50.656</u>	<u>50.747</u>	<u>50.838</u>	<u>50.928</u>	<u>51.019</u>	<u>51.110</u>
		B	<u>56.753</u>	<u>56.855</u>	<u>56.958</u>	<u>57.061</u>	<u>57.164</u>	<u>57.267</u>	<u>57.369</u>	<u>57.472</u>	<u>57.575</u>	<u>57.678</u>	<u>57.781</u>	<u>57.883</u>
	7	A	<u>51.201</u>	<u>51.291</u>	<u>51.382</u>	<u>51.473</u>	<u>51.564</u>	<u>51.655</u>	<u>51.745</u>	<u>51.836</u>	<u>51.927</u>	<u>52.018</u>	<u>52.108</u>	<u>52.199</u>
		B	<u>57.986</u>	<u>58.089</u>	<u>58.192</u>	<u>58.295</u>	<u>58.398</u>	<u>58.500</u>	<u>58.603</u>	<u>58.706</u>	<u>58.809</u>	<u>58.912</u>	<u>59.014</u>	<u>59.117</u>
	8	A	<u>52.290</u>	<u>52.381</u>	<u>52.472</u>	<u>52.562</u>	<u>52.653</u>	<u>52.744</u>	<u>52.835</u>	<u>52.925</u>	<u>53.016</u>	<u>53.107</u>	<u>53.198</u>	<u>53.289</u>
		B	<u>59.220</u>	<u>59.323</u>	<u>59.426</u>	<u>59.528</u>	<u>59.631</u>	<u>59.734</u>	<u>59.837</u>	<u>59.940</u>	<u>60.043</u>	<u>60.145</u>	<u>60.248</u>	<u>60.351</u>
	9	A	<u>53.379</u>	<u>53.470</u>	<u>53.561</u>	<u>53.652</u>	<u>53.743</u>	<u>53.833</u>	<u>53.924</u>	<u>54.015</u>	<u>54.106</u>	<u>54.196</u>	<u>54.287</u>	<u>54.378</u>
		B	<u>60.454</u>	<u>60.557</u>	<u>60.659</u>	<u>60.762</u>	<u>60.865</u>	<u>60.968</u>	<u>61.071</u>	<u>61.173</u>	<u>61.276</u>	<u>61.379</u>	<u>61.482</u>	<u>61.585</u>
	10	A	<u>54.469</u>	<u>54.560</u>	<u>54.650</u>	<u>54.741</u>	<u>54.832</u>	<u>54.923</u>	<u>55.013</u>	<u>55.104</u>	<u>55.195</u>	<u>55.286</u>	<u>55.377</u>	<u>55.467</u>
		B	<u>61.688</u>	<u>61.790</u>	<u>61.893</u>	<u>61.996</u>	<u>62.099</u>	<u>62.202</u>	<u>62.304</u>	<u>62.407</u>	<u>62.510</u>	<u>62.613</u>	<u>62.716</u>	<u>62.818</u>
	11	A	<u>55.558</u>	<u>55.649</u>	<u>55.740</u>	<u>55.830</u>	<u>55.921</u>	<u>56.012</u>	<u>56.103</u>	<u>56.194</u>	<u>56.284</u>	<u>56.375</u>	<u>56.466</u>	<u>56.557</u>
		B	<u>62.921</u>	<u>63.024</u>	<u>63.127</u>	<u>63.230</u>	<u>63.333</u>	<u>63.435</u>	<u>63.538</u>	<u>63.641</u>	<u>63.744</u>	<u>63.847</u>	<u>63.949</u>	<u>64.052</u>
	12	A	<u>56.648</u>	<u>56.738</u>	<u>56.829</u>	<u>56.920</u>	<u>57.011</u>	<u>57.101</u>	<u>57.192</u>	<u>57.283</u>	<u>57.374</u>	<u>57.465</u>	<u>57.555</u>	<u>57.646</u>
		B	<u>64.155</u>	<u>64.258</u>	<u>64.361</u>	<u>64.463</u>	<u>64.566</u>	<u>64.669</u>	<u>64.772</u>	<u>64.875</u>	<u>64.978</u>	<u>65.080</u>	<u>65.183</u>	<u>65.286</u>
	13	A	<u>57.737</u>	<u>57.828</u>	<u>57.918</u>	<u>58.009</u>	<u>58.100</u>	<u>58.191</u>	<u>58.282</u>	<u>58.372</u>	<u>58.463</u>	<u>58.554</u>	<u>58.645</u>	<u>58.735</u>
		B	<u>65.389</u>	<u>65.492</u>	<u>65.594</u>	<u>65.697</u>	<u>65.800</u>	<u>65.903</u>	<u>66.006</u>	<u>66.108</u>	<u>66.211</u>	<u>66.314</u>	<u>66.417</u>	<u>66.520</u>
	14	A	<u>58.826</u>	<u>58.917</u>	<u>59.008</u>	<u>59.099</u>	<u>59.189</u>	<u>59.280</u>	<u>59.371</u>	<u>59.462</u>	<u>59.553</u>	<u>59.643</u>	<u>59.734</u>	<u>59.825</u>
		B	<u>66.623</u>	<u>66.725</u>	<u>66.828</u>	<u>66.931</u>	<u>67.034</u>	<u>67.137</u>	<u>67.239</u>	<u>67.342</u>	<u>67.445</u>	<u>67.548</u>	<u>67.651</u>	<u>67.753</u>
	15	A	<u>59.916</u>	<u>60.006</u>	<u>60.097</u>	<u>60.188</u>	<u>60.279</u>	<u>60.370</u>	<u>60.460</u>	<u>60.551</u>	<u>60.642</u>	<u>60.733</u>	<u>60.823</u>	<u>60.914</u>
		B	<u>67.856</u>	<u>67.959</u>	<u>68.062</u>	<u>68.165</u>	<u>68.268</u>	<u>68.370</u>	<u>68.473</u>	<u>68.576</u>	<u>68.679</u>	<u>68.782</u>	<u>68.884</u>	<u>68.987</u>
	16	A	<u>61.005</u>	<u>61.096</u>	<u>61.187</u>	<u>61.277</u>	<u>61.368</u>	<u>61.459</u>	<u>61.550</u>	<u>61.640</u>	<u>61.731</u>	<u>61.822</u>	<u>61.913</u>	<u>62.004</u>
		B	<u>69.090</u>	<u>69.193</u>	<u>69.296</u>	<u>69.398</u>	<u>69.501</u>	<u>69.604</u>	<u>69.707</u>	<u>69.810</u>	<u>69.913</u>	<u>70.015</u>	<u>70.118</u>	<u>70.221</u>
	17	A	<u>62.094</u>	<u>62.185</u>	<u>62.276</u>	<u>62.367</u>	<u>62.458</u>	<u>62.548</u>	<u>62.639</u>	<u>62.730</u>	<u>62.821</u>	<u>62.911</u>	<u>63.002</u>	<u>63.093</u>
		B	<u>70.324</u>	<u>70.427</u>	<u>70.529</u>	<u>70.632</u>	<u>70.735</u>	<u>70.838</u>	<u>70.941</u>	<u>71.043</u>	<u>71.146</u>	<u>71.249</u>	<u>71.352</u>	<u>71.455</u>
	18	A	<u>63.184</u>											
		B	<u>71.558</u>											

Computation Formula: Weight = 1.5 X 700 (L + 40)

(L = Distance between the center of the front axle and the center of the rear axle of a given group.)

Legend:

Line A:-4 tires per axle or 2) 14 inch wide tires. Value is the formula plus 3.75%.

Line B:-8 tires per axle or 4) 14 inch wide tires. Value is the formula plus 17.5%.

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 3.04. Maximum Permitted Weight Computations: 8-foot, 9 inch Axle Width
Overweight Axle Group Chart
Distance between the center of the front axle and the center of the rear axle of a given group.

			Inches											
			0	1	2	3	4	5	6	7	8	9	10	11
Feet	3	A	<u>29,575</u>	<u>29,575</u>	<u>29,575</u>	<u>29,575</u>	<u>29,575</u>	<u>29,575</u>	<u>48,244</u>	<u>48,337</u>	<u>48,429</u>	<u>48,521</u>	<u>48,614</u>	<u>48,706</u>
		B	<u>33,250</u>	<u>33,250</u>	<u>33,250</u>	<u>33,250</u>	<u>33,250</u>	<u>33,250</u>	<u>54,239</u>	<u>54,343</u>	<u>54,447</u>	<u>54,551</u>	<u>54,655</u>	<u>54,759</u>
	4	A	<u>48,799</u>	<u>48,891</u>	<u>48,984</u>	<u>49,076</u>	<u>49,168</u>	<u>49,261</u>	<u>49,353</u>	<u>49,446</u>	<u>49,538</u>	<u>49,631</u>	<u>49,723</u>	<u>49,815</u>
		B	<u>54,863</u>	<u>54,966</u>	<u>55,070</u>	<u>55,174</u>	<u>55,278</u>	<u>55,382</u>	<u>55,486</u>	<u>55,590</u>	<u>55,694</u>	<u>55,798</u>	<u>55,902</u>	<u>56,005</u>
	5	A	<u>49,908</u>	<u>50,000</u>	<u>50,093</u>	<u>50,185</u>	<u>50,278</u>	<u>50,370</u>	<u>50,462</u>	<u>50,555</u>	<u>50,647</u>	<u>50,740</u>	<u>50,832</u>	<u>50,924</u>
		B	<u>56,109</u>	<u>56,213</u>	<u>56,317</u>	<u>56,421</u>	<u>56,525</u>	<u>56,629</u>	<u>56,733</u>	<u>56,837</u>	<u>56,941</u>	<u>57,045</u>	<u>57,148</u>	<u>57,252</u>
	6	A	<u>51,017</u>	<u>51,109</u>	<u>51,202</u>	<u>51,294</u>	<u>51,387</u>	<u>51,479</u>	<u>51,571</u>	<u>51,664</u>	<u>51,756</u>	<u>51,849</u>	<u>51,941</u>	<u>52,034</u>
		B	<u>57,356</u>	<u>57,460</u>	<u>57,564</u>	<u>57,668</u>	<u>57,772</u>	<u>57,876</u>	<u>57,980</u>	<u>58,084</u>	<u>58,188</u>	<u>58,291</u>	<u>58,395</u>	<u>58,499</u>
	7	A	<u>52,126</u>	<u>52,218</u>	<u>52,311</u>	<u>52,403</u>	<u>52,496</u>	<u>52,588</u>	<u>52,680</u>	<u>52,773</u>	<u>52,865</u>	<u>52,958</u>	<u>53,050</u>	<u>53,143</u>
		B	<u>58,603</u>	<u>58,707</u>	<u>58,811</u>	<u>58,915</u>	<u>59,019</u>	<u>59,123</u>	<u>59,227</u>	<u>59,330</u>	<u>59,434</u>	<u>59,538</u>	<u>59,642</u>	<u>59,746</u>
	8	A	<u>53,235</u>	<u>53,327</u>	<u>53,420</u>	<u>53,512</u>	<u>53,605</u>	<u>53,697</u>	<u>53,790</u>	<u>53,882</u>	<u>53,974</u>	<u>54,067</u>	<u>54,159</u>	<u>54,252</u>
		B	<u>59,850</u>	<u>59,954</u>	<u>60,058</u>	<u>60,162</u>	<u>60,266</u>	<u>60,370</u>	<u>60,473</u>	<u>60,577</u>	<u>60,681</u>	<u>60,785</u>	<u>60,889</u>	<u>60,993</u>
	9	A	<u>54,344</u>	<u>54,436</u>	<u>54,529</u>	<u>54,621</u>	<u>54,714</u>	<u>54,806</u>	<u>54,899</u>	<u>54,991</u>	<u>55,083</u>	<u>55,176</u>	<u>55,268</u>	<u>55,361</u>
		B	<u>61,097</u>	<u>61,201</u>	<u>61,305</u>	<u>61,409</u>	<u>61,513</u>	<u>61,616</u>	<u>61,720</u>	<u>61,824</u>	<u>61,928</u>	<u>62,032</u>	<u>62,136</u>	<u>62,240</u>
	10	A	<u>55,453</u>	<u>55,546</u>	<u>55,638</u>	<u>55,730</u>	<u>55,823</u>	<u>55,915</u>	<u>56,008</u>	<u>56,100</u>	<u>56,193</u>	<u>56,285</u>	<u>56,377</u>	<u>56,470</u>
		B	<u>62,344</u>	<u>62,448</u>	<u>62,552</u>	<u>62,655</u>	<u>62,759</u>	<u>62,863</u>	<u>62,967</u>	<u>63,071</u>	<u>63,175</u>	<u>63,279</u>	<u>63,383</u>	<u>63,487</u>
	11	A	<u>56,562</u>	<u>56,655</u>	<u>56,747</u>	<u>56,839</u>	<u>56,932</u>	<u>57,024</u>	<u>57,117</u>	<u>57,209</u>	<u>57,302</u>	<u>57,394</u>	<u>57,486</u>	<u>57,579</u>
		B	<u>63,591</u>	<u>63,695</u>	<u>63,798</u>	<u>63,902</u>	<u>64,006</u>	<u>64,110</u>	<u>64,214</u>	<u>64,318</u>	<u>64,422</u>	<u>64,526</u>	<u>64,630</u>	<u>64,734</u>
	12	A	<u>57,671</u>	<u>57,764</u>	<u>57,856</u>	<u>57,949</u>	<u>58,041</u>	<u>58,133</u>	<u>58,226</u>	<u>58,318</u>	<u>58,411</u>	<u>58,503</u>	<u>58,595</u>	<u>58,688</u>
		B	<u>64,838</u>	<u>64,941</u>	<u>65,045</u>	<u>65,149</u>	<u>65,253</u>	<u>65,357</u>	<u>65,461</u>	<u>65,565</u>	<u>65,669</u>	<u>65,773</u>	<u>65,877</u>	<u>65,980</u>
	13	A	<u>58,780</u>	<u>58,873</u>	<u>58,965</u>	<u>59,058</u>	<u>59,150</u>	<u>59,242</u>	<u>59,335</u>	<u>59,427</u>	<u>59,520</u>	<u>59,612</u>	<u>59,705</u>	<u>59,797</u>
		B	<u>66,084</u>	<u>66,188</u>	<u>66,292</u>	<u>66,396</u>	<u>66,500</u>	<u>66,604</u>	<u>66,708</u>	<u>66,812</u>	<u>66,916</u>	<u>67,020</u>	<u>67,123</u>	<u>67,227</u>
	14	A	<u>59,889</u>	<u>59,982</u>	<u>60,074</u>	<u>60,167</u>	<u>60,259</u>	<u>60,351</u>	<u>60,444</u>	<u>60,536</u>	<u>60,629</u>	<u>60,721</u>	<u>60,814</u>	<u>60,906</u>
		B	<u>67,331</u>	<u>67,435</u>	<u>67,539</u>	<u>67,643</u>	<u>67,747</u>	<u>67,851</u>	<u>67,955</u>	<u>68,059</u>	<u>68,163</u>	<u>68,266</u>	<u>68,370</u>	<u>68,474</u>
	15	A	<u>60,998</u>	<u>61,091</u>	<u>61,183</u>	<u>61,276</u>	<u>61,368</u>	<u>61,461</u>	<u>61,553</u>	<u>61,645</u>	<u>61,738</u>	<u>61,830</u>	<u>61,923</u>	<u>62,015</u>
		B	<u>68,578</u>	<u>68,682</u>	<u>68,786</u>	<u>68,890</u>	<u>68,994</u>	<u>69,098</u>	<u>69,202</u>	<u>69,305</u>	<u>69,409</u>	<u>69,513</u>	<u>69,617</u>	<u>69,721</u>
	16	A	<u>62,108</u>	<u>62,200</u>	<u>62,292</u>	<u>62,385</u>	<u>62,477</u>	<u>62,570</u>	<u>62,662</u>	<u>62,754</u>	<u>62,847</u>	<u>62,939</u>	<u>63,032</u>	<u>63,124</u>
		B	<u>69,825</u>	<u>69,929</u>	<u>70,033</u>	<u>70,137</u>	<u>70,241</u>	<u>70,345</u>	<u>70,448</u>	<u>70,552</u>	<u>70,656</u>	<u>70,760</u>	<u>70,864</u>	<u>70,968</u>
	17	A	<u>63,217</u>	<u>63,309</u>	<u>63,401</u>	<u>63,494</u>	<u>63,586</u>	<u>63,679</u>	<u>63,771</u>	<u>63,864</u>	<u>63,956</u>	<u>64,048</u>	<u>64,141</u>	<u>64,233</u>
		B	<u>71,072</u>	<u>71,176</u>	<u>71,280</u>	<u>71,384</u>	<u>71,488</u>	<u>71,591</u>	<u>71,695</u>	<u>71,799</u>	<u>71,903</u>	<u>72,007</u>	<u>72,111</u>	<u>72,215</u>
	18	A	<u>64,326</u>											
		B	<u>72,319</u>											

Computation Formula: Weight = 1.5 X 700 (L + 40)

(L = Distance between the center of the front axle and the center of the rear axle of a given group.)

Legend:

Line A:-4 tires per axle or 2) 14 inch wide tires. Value is the formula plus 5.625%.

Line B:-8 tires per axle or 4) 14 inch wide tires. Value is the formula plus 18.75%.

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 3.05. Maximum Permitted Weight Computations: 9-foot, 0-inch Axle Width
Overweight Axle Group Chart
Distance between the center of the front axle and the center of the rear axle of a given group.

			Inches											
			0	1	2	3	4	5	6	7	8	9	10	11
Feet	3	A	30,100	30,100	30,100	30,100	30,100	30,100	49,101	49,195	49,289	49,383	49,477	49,571
		B	33,600	33,600	33,600	33,600	33,600	33,600	54,810	54,915	55,020	55,125	55,230	55,335
	4	A	49,665	49,759	49,853	49,947	50,041	50,135	50,229	50,323	50,418	50,512	50,606	50,700
		B	55,440	55,545	55,650	55,755	55,860	55,965	56,070	56,175	56,280	56,385	56,490	56,595
	5	A	50,794	50,888	50,982	51,076	51,170	51,264	51,358	51,452	51,546	51,640	51,734	51,828
		B	56,700	56,805	56,910	57,015	57,120	57,225	57,330	57,435	57,540	57,645	57,750	57,855
	6	A	51,923	52,017	52,111	52,205	52,299	52,393	52,487	52,581	52,675	52,769	52,863	52,957
		B	57,960	58,065	58,170	58,275	58,380	58,485	58,590	58,695	58,800	58,905	59,010	59,115
	7	A	53,051	53,145	53,239	53,333	53,428	53,522	53,616	53,710	53,804	53,898	53,992	54,086
		B	59,220	59,325	59,430	59,535	59,640	59,745	59,850	59,955	60,060	60,165	60,270	60,375
	8	A	54,180	54,274	54,368	54,462	54,556	54,650	54,744	54,838	54,933	55,027	55,121	55,215
		B	60,480	60,585	60,690	60,795	60,900	61,005	61,110	61,215	61,320	61,425	61,530	61,635
	9	A	55,309	55,403	55,497	55,591	55,685	55,779	55,873	55,967	56,061	56,155	56,249	56,343
		B	61,740	61,845	61,950	62,055	62,160	62,265	62,370	62,475	62,580	62,685	62,790	62,895
	10	A	56,438	56,532	56,626	56,720	56,814	56,908	57,002	57,096	57,190	57,284	57,378	57,472
		B	63,000	63,105	63,210	63,315	63,420	63,525	63,630	63,735	63,840	63,945	64,050	64,155
	11	A	57,566	57,660	57,754	57,848	57,943	58,037	58,131	58,225	58,319	58,413	58,507	58,601
		B	64,260	64,365	64,470	64,575	64,680	64,785	64,890	64,995	65,100	65,205	65,310	65,415
	12	A	58,695	58,789	58,883	58,977	59,071	59,165	59,259	59,353	59,448	59,542	59,636	59,730
		B	65,520	65,625	65,730	65,835	65,940	66,045	66,150	66,255	66,360	66,465	66,570	66,675
	13	A	59,824	59,918	60,012	60,106	60,200	60,294	60,388	60,482	60,576	60,670	60,764	60,858
		B	66,780	66,885	66,990	67,095	67,200	67,305	67,410	67,515	67,620	67,725	67,830	67,935
	14	A	60,953	61,047	61,141	61,235	61,329	61,423	61,517	61,611	61,705	61,799	61,893	61,987
		B	68,040	68,145	68,250	68,355	68,460	68,565	68,670	68,775	68,880	68,985	69,090	69,195
	15	A	62,081	62,175	62,269	62,363	62,458	62,552	62,646	62,740	62,834	62,928	63,022	63,116
		B	69,300	69,405	69,510	69,615	69,720	69,825	69,930	70,035	70,140	70,245	70,350	70,455
	16	A	63,210	63,304	63,398	63,492	63,586	63,680	63,774	63,868	63,963	64,057	64,151	64,245
		B	70,560	70,665	70,770	70,875	70,980	71,085	71,190	71,295	71,400	71,505	71,610	71,715
	17	A	64,339	64,433	64,527	64,621	64,715	64,809	64,903	64,997	65,091	65,185	65,279	65,373
		B	71,820	71,925	72,030	72,135	72,240	72,345	72,450	72,555	72,660	72,765	72,870	72,975
	18	A	65,468											
		B	73,080											

Computation Formula: Weight = 1.5 X 700 (L + 40)

(L = Distance between the center of the front axle and the center of the rear axle of a given group.)

Legend:

Line A:-4 tires per axle or 2) 14 inch wide tires. Value is the formula plus 7.5%.

Line B:-8 tires per axle or 4) 14 inch wide tires. Value is the formula plus 20%.

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 3.06. Maximum Permitted Weight Computations: 9-foot, 3-inch Axle Width
Overweight Axle Group Chart
Distance between the center of the front axle and the center of the rear axle of a given group.

			Inches											
			0	1	2	3	4	5	6	7	8	9	10	11
Feet	3	A	<u>30.625</u>	<u>30.625</u>	<u>30.625</u>	<u>30.625</u>	<u>30.625</u>	<u>30.625</u>	<u>49.957</u>	<u>50.053</u>	<u>50.148</u>	<u>50.244</u>	<u>50.340</u>	<u>50.436</u>
		B	<u>33.950</u>	<u>33.950</u>	<u>33.950</u>	<u>33.950</u>	<u>33.950</u>	<u>33.950</u>	<u>55.381</u>	<u>55.487</u>	<u>55.593</u>	<u>55.699</u>	<u>55.805</u>	<u>55.911</u>
	4	A	<u>50.531</u>	<u>50.627</u>	<u>50.723</u>	<u>50.818</u>	<u>50.914</u>	<u>51.010</u>	<u>51.105</u>	<u>51.201</u>	<u>51.297</u>	<u>51.393</u>	<u>51.488</u>	<u>51.584</u>
		B	<u>56.018</u>	<u>56.124</u>	<u>56.230</u>	<u>56.336</u>	<u>56.442</u>	<u>56.548</u>	<u>56.654</u>	<u>56.760</u>	<u>56.866</u>	<u>56.972</u>	<u>57.078</u>	<u>57.185</u>
	5	A	<u>51.680</u>	<u>51.775</u>	<u>51.871</u>	<u>51.967</u>	<u>52.063</u>	<u>52.158</u>	<u>52.254</u>	<u>52.350</u>	<u>52.445</u>	<u>52.541</u>	<u>52.637</u>	<u>52.732</u>
		B	<u>57.291</u>	<u>57.397</u>	<u>57.503</u>	<u>57.609</u>	<u>57.715</u>	<u>57.821</u>	<u>57.927</u>	<u>58.033</u>	<u>58.139</u>	<u>58.245</u>	<u>58.352</u>	<u>58.458</u>
	6	A	<u>52.828</u>	<u>52.924</u>	<u>53.020</u>	<u>53.115</u>	<u>53.211</u>	<u>53.307</u>	<u>53.402</u>	<u>53.498</u>	<u>53.594</u>	<u>53.689</u>	<u>53.785</u>	<u>53.881</u>
		B	<u>58.564</u>	<u>58.670</u>	<u>58.776</u>	<u>58.882</u>	<u>58.988</u>	<u>59.094</u>	<u>59.200</u>	<u>59.306</u>	<u>59.413</u>	<u>59.519</u>	<u>59.625</u>	<u>59.731</u>
	7	A	<u>53.977</u>	<u>54.072</u>	<u>54.168</u>	<u>54.264</u>	<u>54.359</u>	<u>54.455</u>	<u>54.551</u>	<u>54.646</u>	<u>54.742</u>	<u>54.838</u>	<u>54.934</u>	<u>55.029</u>
		B	<u>59.837</u>	<u>59.943</u>	<u>60.049</u>	<u>60.155</u>	<u>60.261</u>	<u>60.367</u>	<u>60.473</u>	<u>60.580</u>	<u>60.686</u>	<u>60.792</u>	<u>60.898</u>	<u>61.004</u>
	8	A	<u>55.125</u>	<u>55.221</u>	<u>55.316</u>	<u>55.412</u>	<u>55.508</u>	<u>55.604</u>	<u>55.699</u>	<u>55.795</u>	<u>55.891</u>	<u>55.986</u>	<u>56.082</u>	<u>56.178</u>
		B	<u>61.110</u>	<u>61.216</u>	<u>61.322</u>	<u>61.428</u>	<u>61.534</u>	<u>61.640</u>	<u>61.747</u>	<u>61.853</u>	<u>61.959</u>	<u>62.065</u>	<u>62.171</u>	<u>62.277</u>
	9	A	<u>56.273</u>	<u>56.369</u>	<u>56.465</u>	<u>56.561</u>	<u>56.656</u>	<u>56.752</u>	<u>56.848</u>	<u>56.943</u>	<u>57.039</u>	<u>57.135</u>	<u>57.230</u>	<u>57.326</u>
		B	<u>62.383</u>	<u>62.489</u>	<u>62.595</u>	<u>62.701</u>	<u>62.808</u>	<u>62.914</u>	<u>63.020</u>	<u>63.126</u>	<u>63.232</u>	<u>63.338</u>	<u>63.444</u>	<u>63.550</u>
	10	A	<u>57.422</u>	<u>57.518</u>	<u>57.613</u>	<u>57.709</u>	<u>57.805</u>	<u>57.900</u>	<u>57.996</u>	<u>58.092</u>	<u>58.188</u>	<u>58.283</u>	<u>58.379</u>	<u>58.475</u>
		B	<u>63.656</u>	<u>63.762</u>	<u>63.868</u>	<u>63.975</u>	<u>64.081</u>	<u>64.187</u>	<u>64.293</u>	<u>64.399</u>	<u>64.505</u>	<u>64.611</u>	<u>64.717</u>	<u>64.823</u>
	11	A	<u>58.570</u>	<u>58.666</u>	<u>58.762</u>	<u>58.857</u>	<u>58.953</u>	<u>59.049</u>	<u>59.145</u>	<u>59.240</u>	<u>59.336</u>	<u>59.432</u>	<u>59.527</u>	<u>59.623</u>
		B	<u>64.929</u>	<u>65.035</u>	<u>65.142</u>	<u>65.248</u>	<u>65.354</u>	<u>65.460</u>	<u>65.566</u>	<u>65.672</u>	<u>65.778</u>	<u>65.884</u>	<u>65.990</u>	<u>66.096</u>
	12	A	<u>59.719</u>	<u>59.814</u>	<u>59.910</u>	<u>60.006</u>	<u>60.102</u>	<u>60.197</u>	<u>60.293</u>	<u>60.389</u>	<u>60.484</u>	<u>60.580</u>	<u>60.676</u>	<u>60.771</u>
		B	<u>66.203</u>	<u>66.309</u>	<u>66.415</u>	<u>66.521</u>	<u>66.627</u>	<u>66.733</u>	<u>66.839</u>	<u>66.945</u>	<u>67.051</u>	<u>67.157</u>	<u>67.263</u>	<u>67.370</u>
	13	A	<u>60.867</u>	<u>60.963</u>	<u>61.059</u>	<u>61.154</u>	<u>61.250</u>	<u>61.346</u>	<u>61.441</u>	<u>61.537</u>	<u>61.633</u>	<u>61.729</u>	<u>61.824</u>	<u>61.920</u>
		B	<u>67.476</u>	<u>67.582</u>	<u>67.688</u>	<u>67.794</u>	<u>67.900</u>	<u>68.006</u>	<u>68.112</u>	<u>68.218</u>	<u>68.324</u>	<u>68.430</u>	<u>68.537</u>	<u>68.643</u>
	14	A	<u>62.016</u>	<u>62.111</u>	<u>62.207</u>	<u>62.303</u>	<u>62.398</u>	<u>62.494</u>	<u>62.590</u>	<u>62.686</u>	<u>62.781</u>	<u>62.877</u>	<u>62.973</u>	<u>63.068</u>
		B	<u>68.749</u>	<u>68.855</u>	<u>68.961</u>	<u>69.067</u>	<u>69.173</u>	<u>69.279</u>	<u>69.385</u>	<u>69.491</u>	<u>69.598</u>	<u>69.704</u>	<u>69.810</u>	<u>69.916</u>
	15	A	<u>63.164</u>	<u>63.260</u>	<u>63.355</u>	<u>63.451</u>	<u>63.547</u>	<u>63.643</u>	<u>63.738</u>	<u>63.834</u>	<u>63.930</u>	<u>64.025</u>	<u>64.121</u>	<u>64.217</u>
		B	<u>70.022</u>	<u>70.128</u>	<u>70.234</u>	<u>70.340</u>	<u>70.446</u>	<u>70.552</u>	<u>70.658</u>	<u>70.765</u>	<u>70.871</u>	<u>70.977</u>	<u>71.083</u>	<u>71.189</u>
	16	A	<u>64.313</u>	<u>64.408</u>	<u>64.504</u>	<u>64.600</u>	<u>64.695</u>	<u>64.791</u>	<u>64.887</u>	<u>64.982</u>	<u>65.078</u>	<u>65.174</u>	<u>65.270</u>	<u>65.365</u>
		B	<u>71.295</u>	<u>71.401</u>	<u>71.507</u>	<u>71.613</u>	<u>71.719</u>	<u>71.825</u>	<u>71.932</u>	<u>72.038</u>	<u>72.144</u>	<u>72.250</u>	<u>72.356</u>	<u>72.462</u>
	17	A	<u>65.461</u>	<u>65.557</u>	<u>65.652</u>	<u>65.748</u>	<u>65.844</u>	<u>65.939</u>	<u>66.035</u>	<u>66.131</u>	<u>66.227</u>	<u>66.322</u>	<u>66.418</u>	<u>66.514</u>
		B	<u>72.568</u>	<u>72.674</u>	<u>72.780</u>	<u>72.886</u>	<u>72.993</u>	<u>73.099</u>	<u>73.205</u>	<u>73.311</u>	<u>73.417</u>	<u>73.523</u>	<u>73.629</u>	<u>73.735</u>
	18	A	<u>66.609</u>											
		B	<u>73.841</u>											

Computation Formula: Weight = 1.5 X 700 (L + 40)

(L = Distance between the center of the front axle and the center of the rear axle of a given group.)

Legend:

Line A: 4 tires per axle or 2) 14 inch wide tires. Value is the formula plus 9.375%.

Line B: 8 tires per axle or 4) 14 inch wide tires. Value is the formula plus 21.25%.

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 3.07. Maximum Permitted Weight Computations: 9-foot, 6-inch Axle Width
Overweight Axle Group Chart
Distance between the center of the front axle and the center of the rear axle of a given group.

			Inches											
			0	1	2	3	4	5	6	7	8	9	10	11
Feet	3	A	<u>31,150</u>	<u>31,150</u>	<u>31,150</u>	<u>31,150</u>	<u>31,150</u>	<u>31,150</u>	<u>50,813</u>	<u>50,911</u>	<u>51,008</u>	<u>51,105</u>	<u>51,203</u>	<u>51,300</u>
		B	<u>34,300</u>	<u>34,000</u>	<u>34,300</u>	<u>34,300</u>	<u>34,300</u>	<u>34,300</u>	<u>55,952</u>	<u>56,059</u>	<u>56,166</u>	<u>56,273</u>	<u>56,381</u>	<u>56,488</u>
	4	A	<u>51,398</u>	<u>51,495</u>	<u>51,592</u>	<u>51,690</u>	<u>51,787</u>	<u>51,884</u>	<u>51,982</u>	<u>52,079</u>	<u>52,176</u>	<u>52,274</u>	<u>52,371</u>	<u>52,468</u>
		B	<u>56,595</u>	<u>56,702</u>	<u>56,809</u>	<u>56,917</u>	<u>57,024</u>	<u>57,131</u>	<u>57,238</u>	<u>57,345</u>	<u>57,453</u>	<u>57,560</u>	<u>57,667</u>	<u>57,774</u>
	5	A	<u>52,566</u>	<u>52,663</u>	<u>52,760</u>	<u>52,858</u>	<u>52,955</u>	<u>53,052</u>	<u>53,150</u>	<u>53,247</u>	<u>53,344</u>	<u>53,442</u>	<u>53,539</u>	<u>53,636</u>
		B	<u>57,881</u>	<u>57,988</u>	<u>58,096</u>	<u>58,203</u>	<u>58,310</u>	<u>58,417</u>	<u>58,524</u>	<u>58,632</u>	<u>58,739</u>	<u>58,846</u>	<u>58,953</u>	<u>59,060</u>
	6	A	<u>53,734</u>	<u>53,831</u>	<u>53,928</u>	<u>54,026</u>	<u>54,123</u>	<u>54,220</u>	<u>54,318</u>	<u>54,415</u>	<u>54,513</u>	<u>54,610</u>	<u>54,707</u>	<u>54,805</u>
		B	<u>59,168</u>	<u>59,275</u>	<u>59,382</u>	<u>59,489</u>	<u>59,596</u>	<u>59,703</u>	<u>59,811</u>	<u>59,918</u>	<u>60,025</u>	<u>60,132</u>	<u>60,239</u>	<u>60,347</u>
	7	A	<u>54,902</u>	<u>54,999</u>	<u>55,097</u>	<u>55,194</u>	<u>55,291</u>	<u>55,389</u>	<u>55,486</u>	<u>55,583</u>	<u>55,681</u>	<u>55,778</u>	<u>55,875</u>	<u>55,973</u>
		B	<u>60,454</u>	<u>60,561</u>	<u>60,668</u>	<u>60,775</u>	<u>60,883</u>	<u>60,990</u>	<u>61,097</u>	<u>61,204</u>	<u>61,311</u>	<u>61,418</u>	<u>61,526</u>	<u>61,633</u>
	8	A	<u>56,070</u>	<u>56,167</u>	<u>56,265</u>	<u>56,362</u>	<u>56,459</u>	<u>56,557</u>	<u>56,654</u>	<u>56,751</u>	<u>56,849</u>	<u>56,946</u>	<u>57,043</u>	<u>57,141</u>
		B	<u>61,740</u>	<u>61,847</u>	<u>61,954</u>	<u>62,062</u>	<u>62,169</u>	<u>62,276</u>	<u>62,383</u>	<u>62,490</u>	<u>62,598</u>	<u>62,705</u>	<u>62,812</u>	<u>62,919</u>
	9	A	<u>57,238</u>	<u>57,335</u>	<u>57,433</u>	<u>57,530</u>	<u>57,628</u>	<u>57,725</u>	<u>57,822</u>	<u>57,920</u>	<u>58,017</u>	<u>58,114</u>	<u>58,212</u>	<u>58,309</u>
		B	<u>63,026</u>	<u>63,133</u>	<u>63,241</u>	<u>63,348</u>	<u>63,455</u>	<u>63,562</u>	<u>63,669</u>	<u>63,777</u>	<u>63,884</u>	<u>63,991</u>	<u>64,098</u>	<u>64,205</u>
	10	A	<u>58,406</u>	<u>58,504</u>	<u>58,601</u>	<u>58,698</u>	<u>58,796</u>	<u>58,893</u>	<u>58,990</u>	<u>59,088</u>	<u>59,185</u>	<u>59,282</u>	<u>59,380</u>	<u>59,477</u>
		B	<u>64,313</u>	<u>64,420</u>	<u>64,527</u>	<u>64,634</u>	<u>64,741</u>	<u>64,848</u>	<u>64,956</u>	<u>65,063</u>	<u>65,170</u>	<u>65,277</u>	<u>65,384</u>	<u>65,492</u>
	11	A	<u>59,574</u>	<u>59,672</u>	<u>59,769</u>	<u>59,866</u>	<u>59,964</u>	<u>60,061</u>	<u>60,158</u>	<u>60,256</u>	<u>60,353</u>	<u>60,450</u>	<u>60,548</u>	<u>60,645</u>
		B	<u>65,599</u>	<u>65,706</u>	<u>65,813</u>	<u>65,920</u>	<u>66,028</u>	<u>66,135</u>	<u>66,242</u>	<u>66,349</u>	<u>66,456</u>	<u>66,563</u>	<u>66,671</u>	<u>66,778</u>
	12	A	<u>60,743</u>	<u>60,840</u>	<u>60,937</u>	<u>61,035</u>	<u>61,132</u>	<u>61,229</u>	<u>61,327</u>	<u>61,424</u>	<u>61,521</u>	<u>61,619</u>	<u>61,716</u>	<u>61,813</u>
		B	<u>66,885</u>	<u>66,992</u>	<u>67,099</u>	<u>67,207</u>	<u>67,314</u>	<u>67,421</u>	<u>67,528</u>	<u>67,635</u>	<u>67,743</u>	<u>67,850</u>	<u>67,957</u>	<u>68,064</u>
	13	A	<u>61,911</u>	<u>62,008</u>	<u>62,105</u>	<u>62,203</u>	<u>62,300</u>	<u>62,397</u>	<u>62,495</u>	<u>62,592</u>	<u>62,689</u>	<u>62,787</u>	<u>62,884</u>	<u>62,981</u>
		B	<u>68,171</u>	<u>68,278</u>	<u>68,386</u>	<u>68,493</u>	<u>68,600</u>	<u>68,707</u>	<u>68,814</u>	<u>68,922</u>	<u>69,029</u>	<u>69,136</u>	<u>69,243</u>	<u>69,350</u>
	14	A	<u>63,079</u>	<u>63,176</u>	<u>63,273</u>	<u>63,371</u>	<u>63,468</u>	<u>63,565</u>	<u>63,663</u>	<u>63,760</u>	<u>63,858</u>	<u>63,955</u>	<u>64,052</u>	<u>64,150</u>
		B	<u>69,458</u>	<u>69,565</u>	<u>69,672</u>	<u>69,779</u>	<u>69,886</u>	<u>69,993</u>	<u>70,101</u>	<u>70,208</u>	<u>70,315</u>	<u>70,422</u>	<u>70,529</u>	<u>70,637</u>
	15	A	<u>64,247</u>	<u>64,344</u>	<u>64,442</u>	<u>64,539</u>	<u>64,636</u>	<u>64,734</u>	<u>64,831</u>	<u>64,928</u>	<u>65,026</u>	<u>65,123</u>	<u>65,220</u>	<u>65,318</u>
		B	<u>70,744</u>	<u>70,851</u>	<u>70,958</u>	<u>71,065</u>	<u>71,173</u>	<u>71,280</u>	<u>71,387</u>	<u>71,494</u>	<u>71,601</u>	<u>71,708</u>	<u>71,816</u>	<u>71,923</u>
	16	A	<u>65,415</u>	<u>65,512</u>	<u>65,610</u>	<u>65,707</u>	<u>65,804</u>	<u>65,902</u>	<u>65,999</u>	<u>66,096</u>	<u>66,194</u>	<u>66,291</u>	<u>66,388</u>	<u>66,486</u>
		B	<u>72,030</u>	<u>72,137</u>	<u>72,244</u>	<u>72,352</u>	<u>72,459</u>	<u>72,566</u>	<u>72,673</u>	<u>72,780</u>	<u>72,888</u>	<u>72,995</u>	<u>73,102</u>	<u>73,209</u>
	17	A	<u>66,583</u>	<u>66,680</u>	<u>66,778</u>	<u>66,875</u>	<u>66,973</u>	<u>67,070</u>	<u>67,167</u>	<u>67,265</u>	<u>67,362</u>	<u>67,459</u>	<u>67,557</u>	<u>67,654</u>
		B	<u>73,316</u>	<u>73,423</u>	<u>73,531</u>	<u>73,638</u>	<u>73,745</u>	<u>73,852</u>	<u>73,959</u>	<u>74,067</u>	<u>74,174</u>	<u>74,281</u>	<u>74,388</u>	<u>74,495</u>
	18	A	<u>67,751</u>											
		B	<u>74,603</u>											

Computation Formula: Weight = 1.5 X 700 (L + 40)

(L = Distance between the center of the front axle and the center of the rear axle of a given group.)

Legend:

Line A:-4 tires per axle or 2) 14 inch wide tires. Value is the formula plus 11.25%.

Line B:-8 tires per axle or 4) 14 inch wide tires. Value is the formula plus 22.5%.

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 3.08. Maximum Permitted Weight Computations: 9-foot, 9-inch Axle Width
Overweight Axle Group Chart
Distance between the center of the front axle and the center of the rear axle of a given group.

			Inches											
			0	1	2	3	4	5	6	7	8	9	10	11
Feet	3	A	<u>31.675</u>	<u>31.675</u>	<u>31.675</u>	<u>31.675</u>	<u>31.675</u>	<u>31.675</u>	<u>51.670</u>	<u>51.769</u>	<u>51.868</u>	<u>51.967</u>	<u>52.066</u>	<u>52.165</u>
		B	<u>34.650</u>	<u>34.650</u>	<u>34.650</u>	<u>34.650</u>	<u>34.650</u>	<u>34.650</u>	<u>56.523</u>	<u>56.631</u>	<u>56.739</u>	<u>56.848</u>	<u>56.956</u>	<u>57.064</u>
	4	A	<u>52.264</u>	<u>52.363</u>	<u>52.462</u>	<u>52.561</u>	<u>52.660</u>	<u>52.759</u>	<u>52.858</u>	<u>52.957</u>	<u>53.056</u>	<u>53.155</u>	<u>53.254</u>	<u>53.353</u>
		B	<u>57.173</u>	<u>57.281</u>	<u>57.389</u>	<u>57.497</u>	<u>57.606</u>	<u>57.714</u>	<u>57.822</u>	<u>57.930</u>	<u>58.039</u>	<u>58.147</u>	<u>58.255</u>	<u>58.364</u>
	5	A	<u>53.452</u>	<u>53.551</u>	<u>53.650</u>	<u>53.749</u>	<u>53.848</u>	<u>53.946</u>	<u>54.045</u>	<u>54.144</u>	<u>54.243</u>	<u>54.342</u>	<u>54.441</u>	<u>54.540</u>
		B	<u>58.472</u>	<u>58.580</u>	<u>58.688</u>	<u>58.797</u>	<u>58.905</u>	<u>59.013</u>	<u>59.122</u>	<u>59.230</u>	<u>59.338</u>	<u>59.446</u>	<u>59.555</u>	<u>59.663</u>
	6	A	<u>54.639</u>	<u>54.738</u>	<u>54.837</u>	<u>54.936</u>	<u>55.035</u>	<u>55.134</u>	<u>55.233</u>	<u>55.332</u>	<u>55.431</u>	<u>55.530</u>	<u>55.629</u>	<u>55.728</u>
		B	<u>59.771</u>	<u>59.880</u>	<u>59.988</u>	<u>60.096</u>	<u>60.204</u>	<u>60.313</u>	<u>60.421</u>	<u>60.529</u>	<u>60.638</u>	<u>60.746</u>	<u>60.854</u>	<u>60.962</u>
	7	A	<u>55.827</u>	<u>55.926</u>	<u>56.025</u>	<u>56.124</u>	<u>56.223</u>	<u>56.322</u>	<u>56.421</u>	<u>56.520</u>	<u>56.619</u>	<u>56.718</u>	<u>56.817</u>	<u>56.916</u>
		B	<u>61.071</u>	<u>61.179</u>	<u>61.287</u>	<u>61.395</u>	<u>61.504</u>	<u>61.612</u>	<u>61.720</u>	<u>61.829</u>	<u>61.937</u>	<u>62.045</u>	<u>62.153</u>	<u>62.262</u>
	8	A	<u>57.015</u>	<u>57.114</u>	<u>57.213</u>	<u>57.312</u>	<u>57.411</u>	<u>57.510</u>	<u>57.609</u>	<u>57.708</u>	<u>57.807</u>	<u>57.906</u>	<u>58.005</u>	<u>58.104</u>
		B	<u>62.370</u>	<u>62.478</u>	<u>62.587</u>	<u>62.695</u>	<u>62.803</u>	<u>62.911</u>	<u>63.020</u>	<u>63.128</u>	<u>63.236</u>	<u>63.345</u>	<u>63.453</u>	<u>63.561</u>
	9	A	<u>58.203</u>	<u>58.302</u>	<u>58.401</u>	<u>58.500</u>	<u>58.599</u>	<u>58.698</u>	<u>58.797</u>	<u>58.896</u>	<u>58.995</u>	<u>59.094</u>	<u>59.193</u>	<u>59.292</u>
		B	<u>63.669</u>	<u>63.778</u>	<u>63.886</u>	<u>63.994</u>	<u>64.103</u>	<u>64.211</u>	<u>64.319</u>	<u>64.427</u>	<u>64.536</u>	<u>64.644</u>	<u>64.752</u>	<u>64.860</u>
	10	A	<u>59.391</u>	<u>59.490</u>	<u>59.589</u>	<u>59.688</u>	<u>59.787</u>	<u>59.886</u>	<u>59.985</u>	<u>60.084</u>	<u>60.183</u>	<u>60.281</u>	<u>60.380</u>	<u>60.479</u>
		B	<u>64.969</u>	<u>65.077</u>	<u>65.185</u>	<u>65.294</u>	<u>65.402</u>	<u>65.510</u>	<u>65.618</u>	<u>65.727</u>	<u>65.835</u>	<u>65.943</u>	<u>66.052</u>	<u>66.160</u>
	11	A	<u>60.578</u>	<u>60.677</u>	<u>60.776</u>	<u>60.875</u>	<u>60.974</u>	<u>61.073</u>	<u>61.172</u>	<u>61.271</u>	<u>61.370</u>	<u>61.469</u>	<u>61.568</u>	<u>61.667</u>
		B	<u>66.268</u>	<u>66.376</u>	<u>66.485</u>	<u>66.593</u>	<u>66.701</u>	<u>66.810</u>	<u>66.918</u>	<u>67.026</u>	<u>67.134</u>	<u>67.243</u>	<u>67.351</u>	<u>67.459</u>
	12	A	<u>61.766</u>	<u>61.865</u>	<u>61.964</u>	<u>62.063</u>	<u>62.162</u>	<u>62.261</u>	<u>62.360</u>	<u>62.459</u>	<u>62.558</u>	<u>62.657</u>	<u>62.756</u>	<u>62.855</u>
		B	<u>67.568</u>	<u>67.676</u>	<u>67.784</u>	<u>67.892</u>	<u>68.001</u>	<u>68.109</u>	<u>68.217</u>	<u>68.325</u>	<u>68.434</u>	<u>68.542</u>	<u>68.650</u>	<u>68.759</u>
	13	A	<u>62.954</u>	<u>63.053</u>	<u>63.152</u>	<u>63.251</u>	<u>63.350</u>	<u>63.449</u>	<u>63.548</u>	<u>63.647</u>	<u>63.746</u>	<u>63.845</u>	<u>63.944</u>	<u>64.043</u>
		B	<u>68.867</u>	<u>68.975</u>	<u>69.083</u>	<u>69.192</u>	<u>69.300</u>	<u>69.408</u>	<u>69.517</u>	<u>69.625</u>	<u>69.733</u>	<u>69.841</u>	<u>69.950</u>	<u>70.058</u>
	14	A	<u>64.142</u>	<u>64.241</u>	<u>64.340</u>	<u>64.439</u>	<u>64.538</u>	<u>64.637</u>	<u>64.736</u>	<u>64.835</u>	<u>64.934</u>	<u>65.033</u>	<u>65.132</u>	<u>65.231</u>
		B	<u>70.166</u>	<u>70.275</u>	<u>70.383</u>	<u>70.491</u>	<u>70.599</u>	<u>70.708</u>	<u>70.816</u>	<u>70.924</u>	<u>71.033</u>	<u>71.141</u>	<u>71.249</u>	<u>71.357</u>
	15	A	<u>65.330</u>	<u>65.429</u>	<u>65.528</u>	<u>65.627</u>	<u>65.726</u>	<u>65.825</u>	<u>65.924</u>	<u>66.023</u>	<u>66.122</u>	<u>66.221</u>	<u>66.320</u>	<u>66.419</u>
		B	<u>71.466</u>	<u>71.574</u>	<u>71.682</u>	<u>71.790</u>	<u>71.899</u>	<u>72.007</u>	<u>72.115</u>	<u>72.224</u>	<u>72.332</u>	<u>72.440</u>	<u>72.548</u>	<u>72.657</u>
	16	A	<u>66.518</u>	<u>66.616</u>	<u>66.715</u>	<u>66.814</u>	<u>66.913</u>	<u>67.012</u>	<u>67.111</u>	<u>67.210</u>	<u>67.309</u>	<u>67.408</u>	<u>67.507</u>	<u>67.606</u>
		B	<u>72.765</u>	<u>72.873</u>	<u>72.982</u>	<u>73.090</u>	<u>73.198</u>	<u>73.306</u>	<u>73.415</u>	<u>73.523</u>	<u>73.631</u>	<u>73.740</u>	<u>73.848</u>	<u>73.956</u>
	17	A	<u>67.705</u>	<u>67.804</u>	<u>67.903</u>	<u>68.002</u>	<u>68.101</u>	<u>68.200</u>	<u>68.299</u>	<u>68.398</u>	<u>68.497</u>	<u>68.596</u>	<u>68.695</u>	<u>68.794</u>
		B	<u>74.064</u>	<u>74.173</u>	<u>74.281</u>	<u>74.389</u>	<u>74.498</u>	<u>74.606</u>	<u>74.714</u>	<u>74.822</u>	<u>74.931</u>	<u>75.039</u>	<u>75.147</u>	<u>75.255</u>
	18	A	<u>68.893</u>											
		B	<u>75.364</u>											

Computation Formula: Weight = 1.5 X 700 (L + 40)

(L = Distance between the center of the front axle and the center of the rear axle of a given group.)

Legend:

Line A: 4 tires per axle or 2) 14 inch wide tires. Value is the formula plus 13.125%.

Line B: 8 tires per axle or 4) 14 inch wide tires. Value is the formula plus 23.75%.

Arizona Administrative Register
Notices of Proposed Rulemaking

Table 3.09. Maximum Permitted Weight Computations: 10-foot, 0 inch Axle Width
Overweight Axle Group Chart
Distance between the center of the front axle and the center of the rear axle of a given group.

			Inches											
			0	1	2	3	4	5	6	7	8	9	10	11
Feet	3	A	<u>32.200</u>	<u>32.200</u>	<u>32.200</u>	<u>32.200</u>	<u>32.200</u>	<u>32.200</u>	<u>52.526</u>	<u>52.627</u>	<u>52.728</u>	<u>52.828</u>	<u>52.929</u>	<u>53.029</u>
		B	<u>35.000</u>	<u>35.000</u>	<u>35.000</u>	<u>35.000</u>	<u>35.000</u>	<u>35.000</u>	<u>57.094</u>	<u>57.203</u>	<u>57.313</u>	<u>57.422</u>	<u>57.531</u>	<u>57.641</u>
	4	A	<u>53.130</u>	<u>53.231</u>	<u>53.331</u>	<u>53.432</u>	<u>53.533</u>	<u>53.633</u>	<u>53.734</u>	<u>53.834</u>	<u>53.935</u>	<u>54.036</u>	<u>54.136</u>	<u>54.237</u>
		B	<u>57.750</u>	<u>57.859</u>	<u>57.969</u>	<u>58.078</u>	<u>58.188</u>	<u>58.297</u>	<u>58.406</u>	<u>58.516</u>	<u>58.625</u>	<u>58.734</u>	<u>58.844</u>	<u>58.953</u>
	5	A	<u>54.338</u>	<u>54.438</u>	<u>54.539</u>	<u>54.639</u>	<u>54.740</u>	<u>54.841</u>	<u>54.941</u>	<u>55.042</u>	<u>55.143</u>	<u>55.243</u>	<u>55.344</u>	<u>55.444</u>
		B	<u>59.063</u>	<u>59.172</u>	<u>59.281</u>	<u>59.391</u>	<u>59.500</u>	<u>59.609</u>	<u>59.719</u>	<u>59.828</u>	<u>59.938</u>	<u>60.047</u>	<u>60.156</u>	<u>60.266</u>
	6	A	<u>55.545</u>	<u>55.646</u>	<u>55.746</u>	<u>55.847</u>	<u>55.948</u>	<u>56.048</u>	<u>56.149</u>	<u>56.249</u>	<u>56.350</u>	<u>56.451</u>	<u>56.551</u>	<u>56.652</u>
		B	<u>60.375</u>	<u>60.484</u>	<u>60.594</u>	<u>60.703</u>	<u>60.813</u>	<u>60.922</u>	<u>61.031</u>	<u>61.141</u>	<u>61.250</u>	<u>61.359</u>	<u>61.469</u>	<u>61.578</u>
	7	A	<u>56.753</u>	<u>56.853</u>	<u>56.954</u>	<u>57.054</u>	<u>57.155</u>	<u>57.256</u>	<u>57.356</u>	<u>57.457</u>	<u>57.558</u>	<u>57.658</u>	<u>57.759</u>	<u>57.859</u>
		B	<u>61.688</u>	<u>61.797</u>	<u>61.906</u>	<u>62.016</u>	<u>62.125</u>	<u>62.234</u>	<u>62.344</u>	<u>62.453</u>	<u>62.563</u>	<u>62.672</u>	<u>62.781</u>	<u>62.891</u>
	8	A	<u>57.960</u>	<u>58.061</u>	<u>58.161</u>	<u>58.262</u>	<u>58.363</u>	<u>58.463</u>	<u>58.564</u>	<u>58.664</u>	<u>58.765</u>	<u>58.866</u>	<u>58.966</u>	<u>59.067</u>
		B	<u>63.000</u>	<u>63.109</u>	<u>63.219</u>	<u>63.328</u>	<u>63.438</u>	<u>63.547</u>	<u>63.656</u>	<u>63.766</u>	<u>63.875</u>	<u>63.984</u>	<u>64.094</u>	<u>64.203</u>
	9	A	<u>59.168</u>	<u>59.268</u>	<u>59.369</u>	<u>59.469</u>	<u>59.570</u>	<u>59.671</u>	<u>59.771</u>	<u>59.872</u>	<u>59.973</u>	<u>60.073</u>	<u>60.174</u>	<u>60.274</u>
		B	<u>64.313</u>	<u>64.422</u>	<u>64.531</u>	<u>64.641</u>	<u>64.750</u>	<u>64.859</u>	<u>64.969</u>	<u>65.078</u>	<u>65.188</u>	<u>65.297</u>	<u>65.406</u>	<u>65.516</u>
	10	A	<u>60.375</u>	<u>60.476</u>	<u>60.576</u>	<u>60.677</u>	<u>60.778</u>	<u>60.878</u>	<u>60.979</u>	<u>61.079</u>	<u>61.180</u>	<u>61.281</u>	<u>61.381</u>	<u>61.482</u>
		B	<u>65.625</u>	<u>65.734</u>	<u>65.844</u>	<u>65.953</u>	<u>66.063</u>	<u>66.172</u>	<u>66.281</u>	<u>66.391</u>	<u>66.500</u>	<u>66.609</u>	<u>66.719</u>	<u>66.828</u>
	11	A	<u>61.583</u>	<u>61.683</u>	<u>61.784</u>	<u>61.884</u>	<u>61.985</u>	<u>62.086</u>	<u>62.186</u>	<u>62.287</u>	<u>62.388</u>	<u>62.488</u>	<u>62.589</u>	<u>62.689</u>
		B	<u>66.938</u>	<u>67.047</u>	<u>67.156</u>	<u>67.266</u>	<u>67.375</u>	<u>67.484</u>	<u>67.594</u>	<u>67.703</u>	<u>67.813</u>	<u>67.922</u>	<u>68.031</u>	<u>68.141</u>
	12	A	<u>62.790</u>	<u>62.891</u>	<u>62.991</u>	<u>63.092</u>	<u>63.193</u>	<u>63.293</u>	<u>63.394</u>	<u>63.494</u>	<u>63.595</u>	<u>63.696</u>	<u>63.796</u>	<u>63.897</u>
		B	<u>68.250</u>	<u>68.359</u>	<u>68.469</u>	<u>68.578</u>	<u>68.688</u>	<u>68.797</u>	<u>68.906</u>	<u>69.016</u>	<u>69.125</u>	<u>69.234</u>	<u>69.344</u>	<u>69.453</u>
	13	A	<u>63.998</u>	<u>64.098</u>	<u>64.199</u>	<u>64.299</u>	<u>64.400</u>	<u>64.501</u>	<u>64.601</u>	<u>64.702</u>	<u>64.803</u>	<u>64.903</u>	<u>65.004</u>	<u>65.104</u>
		B	<u>69.563</u>	<u>69.672</u>	<u>69.781</u>	<u>69.891</u>	<u>70.000</u>	<u>70.109</u>	<u>70.219</u>	<u>70.328</u>	<u>70.438</u>	<u>70.547</u>	<u>70.656</u>	<u>70.766</u>
	14	A	<u>65.205</u>	<u>65.306</u>	<u>65.406</u>	<u>65.507</u>	<u>65.608</u>	<u>65.708</u>	<u>65.809</u>	<u>65.909</u>	<u>66.010</u>	<u>66.111</u>	<u>66.211</u>	<u>66.312</u>
		B	<u>70.875</u>	<u>70.984</u>	<u>71.094</u>	<u>71.203</u>	<u>71.313</u>	<u>71.422</u>	<u>71.531</u>	<u>71.641</u>	<u>71.750</u>	<u>71.859</u>	<u>71.969</u>	<u>72.078</u>
	15	A	<u>66.413</u>	<u>66.513</u>	<u>66.614</u>	<u>66.714</u>	<u>66.815</u>	<u>66.916</u>	<u>67.016</u>	<u>67.117</u>	<u>67.218</u>	<u>67.318</u>	<u>67.419</u>	<u>67.519</u>
		B	<u>72.188</u>	<u>72.297</u>	<u>72.406</u>	<u>72.516</u>	<u>72.625</u>	<u>72.734</u>	<u>72.844</u>	<u>72.953</u>	<u>73.063</u>	<u>73.172</u>	<u>73.281</u>	<u>73.391</u>
	16	A	<u>67.620</u>	<u>67.721</u>	<u>67.821</u>	<u>67.922</u>	<u>68.023</u>	<u>68.123</u>	<u>68.224</u>	<u>68.324</u>	<u>68.425</u>	<u>68.526</u>	<u>68.626</u>	<u>68.727</u>
		B	<u>73.500</u>	<u>73.609</u>	<u>73.719</u>	<u>73.828</u>	<u>73.938</u>	<u>74.047</u>	<u>74.156</u>	<u>74.266</u>	<u>74.375</u>	<u>74.484</u>	<u>74.594</u>	<u>74.703</u>
	17	A	<u>68.828</u>	<u>68.928</u>	<u>69.029</u>	<u>69.129</u>	<u>69.230</u>	<u>69.331</u>	<u>69.431</u>	<u>69.532</u>	<u>69.633</u>	<u>69.733</u>	<u>69.834</u>	<u>69.934</u>
		B	<u>74.813</u>	<u>74.922</u>	<u>75.031</u>	<u>75.141</u>	<u>75.250</u>	<u>75.359</u>	<u>75.469</u>	<u>75.578</u>	<u>75.688</u>	<u>75.797</u>	<u>75.906</u>	<u>76.016</u>
	18	A	<u>70.035</u>											
		B	<u>76.125</u>											

Computation Formula: Weight = 1.5 X 700 (L + 40)

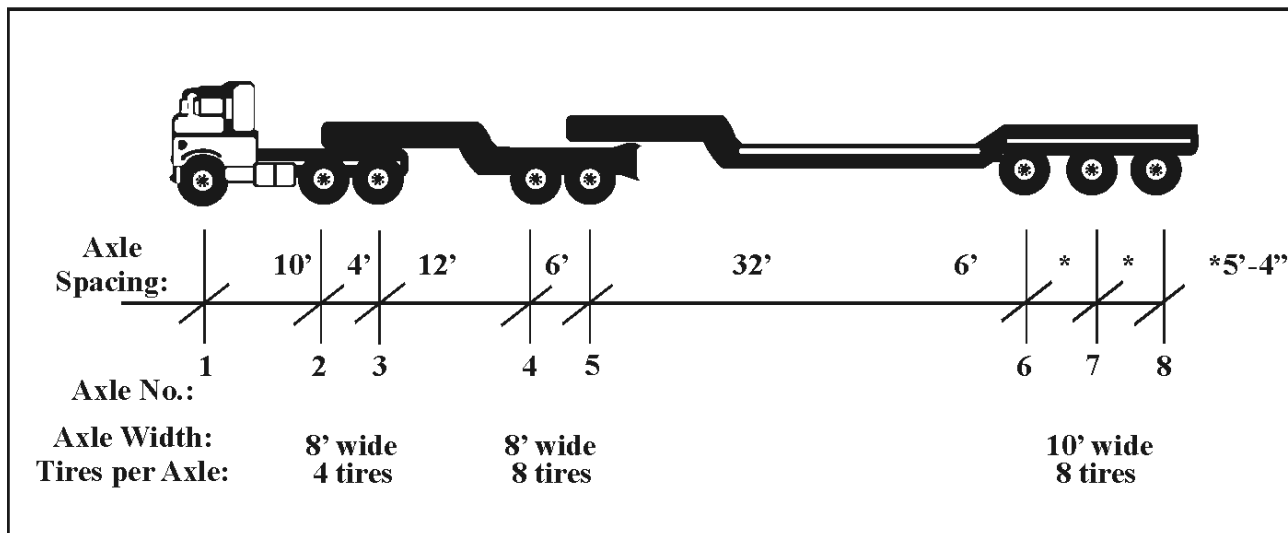
(L = Distance between the center of the front axle and the center of the rear axle of a given group.)

Legend:

Line A: 4 tires per axle or 2) 14 inch wide tires. Value is the formula plus 15.%.

Line B: 8 tires per axle or 4) 14 inch wide tires. Value is the formula plus 25.%.

Illustration 3: OVERWEIGHT AXLE GROUPS



The axle group weights shown on the previous tables are maximum weights allowed on any combination of axles within the distance between the front and rear axle of a given group up to a maximum of 18 feet. The values in table 3.01 line "A" are an expansion of the formula $W = 1.5 \times 700 (L + 40)$, where L is the distance between the centers of the front and rear axles of a group. The values in line "B" and in the remaining tables are computed by applying the percentages prescribed in the tables' footnotes and are intended to increase the allowable weights based on wider axles and increased number of tires. Measured axle widths shall be rounded down to the nearest 1/4 foot when determining the appropriate table to use.

Note: The Department must review each possible axle group that can exist within an 18-foot distance. Axles of different configurations of width or number of tires must be prorated within the total group load in determining any allowed increase over the basic formula weight.

Note: Tire width is measured from the outside of the tire to outside of tire, this does not include the tire bulge.

R17-6-412. Highway-specific Overdimensional Permitted Vehicle Restrictions

Under A.R.S. § 28-7045, the following highway-use restrictions on transport by overdimensional permitted vehicles apply:

1. Permanent highway restrictions.

A permittee of an overdimensional vehicle or load shall not access routes according to the provisions prescribed in Table 4.

2. Temporary highway restrictions.

The Department may temporarily restrict highway access to overdimensional permit transport for no more than 12 months, due to a construction or maintenance project. A permittee shall check daily for changes in temporary highway restrictions:

a. In electronic format at internet address: www.azfms.com/HCRS, or

b. By direct telephone communication with a highway project engineer in an ADOT district office in oversight of a permittee's applicable transport route as follows:

i. Flagstaff: (928) 774-1491

ii. Globe: (928) 425-7638

iii. Holbrook: (928) 524-6801

iv. Kingman: (928) 757-5828

v. Phoenix: For the Phoenix metropolitan area, a permittee shall check with both the Phoenix Construction and Maintenance districts.

(1). Phoenix Maintenance:(602) 712-6664

(2). Phoenix Construction:(602) 712-8965

vi. Prescott: (928) 445-5391

vii. Safford: (928) 428-5470

viii. Tucson: (520) 620-5416

ix. Yuma: (928) 317-2100

Arizona Administrative Register
Notices of Proposed Rulemaking

MP – Milepost Jct – Junction of Routes F/R – Escorts at Front and Rear

Table 4. Permanent Overdimensional Vehicle Highway Restrictions

<u>Route Type</u>	<u>Route #</u>	<u>Restriction Criteria</u>	<u>Special Movement</u>	<u>Maximum Height</u>	<u>Maximum Length</u>	<u>At or over a width of</u>	<u>Maximum Weight (in lbs)</u>
<u>Interstate</u>	<u>8</u>	<u>All of route</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>Intestate</u>	<u>10</u>	<u>All of route</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>Interstate</u>	<u>10</u>	<u>MP 205.45 (Battaglia underpass)</u>		<u>15' 9"</u>			
<u>Interstate</u>	<u>10</u>	<u>Eastbound at MP 289.35 (Pantano Railroad underpass)</u>		<u>15'</u>			
<u>Interstate</u>	<u>10</u>	<u>Westbound at MP 289.35 (Pantano Railroad underpass)</u>		<u>15' 3"</u>			
<u>Interstate Business</u>	<u>10</u>	<u>MP 305.79 (SR 80 underpass)</u>		<u>14'</u>			
<u>Interstate Business</u>	<u>10</u>	<u>MP 305.85 (SP Railroad underpass)</u>		<u>14' 3"</u>			
<u>Interstate</u>	<u>15</u>	<u>All of route</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>Interstate</u>	<u>15</u>	<u>LCVs only - All of route requires Class E (See R17-6-206, Table 2)</u>			<u>92'</u>		<u>111,000</u>
<u>Interstate</u>	<u>15</u>	<u>LCVs only – All of route requires Class E (See R17-6-206, Table 2)</u>			<u>105'</u>		<u>129,000</u>
<u>Interstate</u>	<u>17</u>	<u>All of route</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>Interstate</u>	<u>17</u>	<u>Southbound at MP 293.26 (Cornville/Mcquireville underpass)</u>		<u>14' 11"</u>			
<u>Interstate</u>	<u>17</u>	<u>19th Avenue to Buckeye Road</u>		<u>14'</u>			
<u>Interstate</u>	<u>19</u>	<u>All of route</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>Interstate</u>	<u>40</u>	<u>All of route</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>Interstate Business</u>	<u>40</u>	<u>Jct I-40 (West Flagstaff Traffic Interchange) to Jct US 89</u>				<u>12' requires F/R</u>	
<u>Interstate Business</u>	<u>40</u>	<u>MP 142.18 (Seligman GS)</u>		<u>15' 3"</u>			
<u>Interstate Business</u>	<u>40</u>	<u>MP 142.21 (SF Railroad underpass)</u>		<u>15' 3"</u>			
<u>Interstate Business</u>	<u>40</u>	<u>MP 165.98 (ATSF Railroad underpass)</u>		<u>14' 10"</u>			
<u>Interstate Business</u>	<u>40</u>	<u>MP 195.96 (SP Railroad underpass)</u>		<u>13' 9"</u>			
<u>State</u>	<u>51</u>	<u>All of route</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				

Arizona Administrative Register
Notices of Proposed Rulemaking

<u>US</u>	<u>60</u>	<u>Wickenburg to Florence Junction</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>US</u>	<u>60</u>	<u>Florence Junction to Globe</u>			<u>80'+ unarticulated vehicle requires F/R; 110'+ articulated vehicle requires F/R</u>	<u>11' requires F/R</u>	
<u>US</u>	<u>60</u>	<u>MP 228.13 (Queen Creek Tunnel)</u>		<u>14'</u>			
<u>US</u>	<u>60</u>	<u>Salt River Canyon to Show Low</u>			<u>80'+ unarticulated vehicle requires F/R; 110'+ articulated vehicle requires F/R</u>	<u>12' requires F/R</u>	
<u>US</u>	<u>60</u>	<u>Jct SR 61 to Jct US 180</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>60</u>	<u>Eastbound at MP 110.24 (Wickenburg Railroad underpass)</u>		<u>13' 11"</u>			
<u>US</u>	<u>60</u>	<u>Westbound at MP 110.24 (Frontier Street underpass)</u>		<u>13' 7"</u>			
<u>US</u>	<u>61</u>	<u>Jct US 60 to Jct US 180</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>61</u>	<u>Jct US 191 to State Line</u>				<u>10' requires F/R</u>	
<u>State</u>	<u>64</u>	<u>MP 237.1 to Jct US 89</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>64</u>	<u>MP 470 to MP 465.2 requires Class E (See R17-6-206 Table 2)</u>			<u>92'</u>		<u>123,500</u>
<u>State</u>	<u>67</u>	<u>MP 579.36 to North Rim (Seasonal restriction Nov. 15 through May 15)</u>					<u>20,000</u>
<u>State</u>	<u>67</u>	<u>Jct US 89A to North Rim</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>68</u>	<u>Jct US 93 to Jct SR 95</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>State</u>	<u>69</u>	<u>Jct I-17 to Prescott</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>US</u>	<u>70</u>	<u>MP 253.63 (Pinal SP Railroad)</u>		<u>15' 8"</u>			
<u>State</u>	<u>71</u>	<u>Jct US 60 to Jct US 89</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>72</u>	<u>Jct SR 95 to Jct US 60</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>73</u>	<u>Jct US 60 to MP 334.72</u>				<u>10' requires F/R</u>	

Arizona Administrative Register
Notices of Proposed Rulemaking

<u>State</u>	<u>77</u>	<u>MP 109.15 (San Manuel overpass)</u>		<u>14'</u>			
<u>State</u>	<u>77</u>	<u>MP 119.15 (San Manuel overpass)</u>		<u>14' 1"</u>			
<u>State</u>	<u>77</u>	<u>Winkelman to Jct US 70</u>			<u>80'+ unarticulated vehicle requires F/R; 110'+ articulated vehicle requires F/R</u>	<u>12' requires F/R</u>	
<u>State</u>	<u>77</u>	<u>Show Low to Holbrook</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>78</u>	<u>Jct SR 75 and US 191 to State Line</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>80</u>	<u>MP 317.65 (Tombstone Pedestrian underpass)</u>		<u>15' 2"</u>			
<u>State</u>	<u>80</u>	<u>MP 343.57 (Lowell underpass)</u>		<u>12' 11"</u>			
<u>State</u>	<u>80</u>	<u>MP 366.10 (Douglas Railroad underpass)</u>		<u>12' 7"</u>			
<u>State</u>	<u>80</u>	<u>Douglas to New Mexico State Line</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>82</u>	<u>Sonoita to Jct SR 80</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>83</u>	<u>MP 3.19 to Sonoita</u>				<u>10' requires F/R</u>	
<u>State</u>	<u>83</u>	<u>Sonoita to Jct I-10</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>84</u>	<u>MP 177.67 (SP Railroad underpass)</u>		<u>14'</u>			
<u>State</u>	<u>85</u>	<u>International Boundary to Ajo</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>85</u>	<u>MP 0.38 (SP Railroad underpass)</u>		<u>14' 8"</u>			
<u>State</u>	<u>85</u>	<u>MP 0.57 (I-8 Westbound overpass)</u>		<u>15"</u>			
<u>State</u>	<u>85</u>	<u>MP 0.58 (I-8 Eastbound overpass)</u>		<u>15'</u>			
<u>State</u>	<u>85</u>	<u>MP 120.41 (Interstate Business 8 underpass – detour available)</u>		<u>15' 6"</u>			
<u>State</u>	<u>86</u>	<u>Why (Jct SR 85) to Jct SR 286 (Coordinate with Tohono O'odham Police)</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>87</u>	<u>Jct US 60 to Payson</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>State</u>	<u>87</u>	<u>MP 254 (Payson) to Winslow</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>88</u>	<u>Idaho Road to MP 242.04 (Roosevelt)</u>				<u>Over 8' requires class C permit</u>	
<u>State</u>	<u>88</u>	<u>MP 220.6 to MP 226.6</u>			<u>40'</u>		<u>20,000</u>

Arizona Administrative Register
Notices of Proposed Rulemaking

<u>State</u>	<u>88</u>	<u>MP 209.5 (Willow Creek Bridge)</u>		<u>14'</u>			
<u>State</u>	<u>88</u>	<u>MP 222 to MP 224.3 ONE LANE ROAD RESTRICTION</u>					
<u>US</u>	<u>89</u>	<u>Jct US 93 to Prescott City limits</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>89</u>	<u>MP 295 to MP 308</u>			<u>40'</u>	<u>Over 8' requires class C permit</u>	
<u>US</u>	<u>89</u>	<u>MP 549.54, Glen Canyon Bridge (Requires that vehicle come to complete stop, then proceed at 5 mph with no gear shifting)</u>					<u>150.000</u>
<u>US</u>	<u>89</u>	<u>MP 552 to MP 532, LCVs require Class E (See R17-6-206, Table 2)</u>			<u>92'</u>		<u>111.000</u>
<u>US</u>	<u>89A</u>	<u>Jct US 89 (Prescott) to MP 331</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>89A</u>	<u>MP 319.01 (Santa Fe Railroad underpass)</u>		<u>13' 11"</u>			
<u>US</u>	<u>89A</u>	<u>MP 331 to MP 346</u>			<u>50'</u>	<u>Over 8' requires class C permit</u>	
<u>US</u>	<u>89A</u>	<u>Jct SR 179 (Sedona) to Flagstaff</u>				<u>10' requires F/R</u>	
<u>US</u>	<u>89A</u>	<u>Jct US 89 to MP 548 (Cliff-dweller's Lodge)</u>				<u>10' requires F/R</u>	
<u>US</u>	<u>89A</u>	<u>MP 548 to Jacob Lake</u>				<u>Over 8'6" requires class C permit</u>	
<u>US</u>	<u>89A</u>	<u>Jacob Lake to Fredonia</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>89A</u>	<u>MP 610 to MP 579.4, LCVs require Class E (See R17-3-206, Table 2)</u>			<u>92'</u>		<u>123.500</u>
<u>State</u>	<u>90</u>	<u>Jct I-10 to Sierra Vista</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>		<u>92'</u>		<u>123.500</u>
<u>US</u>	<u>93</u>	Post marker 3 to Hoover Dam – No overdimensional vehicle permitted					
<u>US</u>	<u>93</u>	<u>MP 17 to MP 3</u>				<u>10' requires F/R</u>	
<u>US</u>	<u>93</u>	<u>Jct I-40 to Jct SR 68</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>US</u>	<u>93</u>	<u>Wikieup to Jct SR 97</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>95</u>	<u>Jct SR 68 to city limits of Bullhead City</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>State Spur</u>	<u>95</u>	<u>MP 144.83 (Colorado River Bridge)</u>					<u>80.000</u>

Arizona Administrative Register
Notices of Proposed Rulemaking

<u>State</u>	<u>96</u>	<u>Jct SR 97 to Hillside</u>				<u>10' requires F/R</u>	
<u>State</u>	<u>98</u>	<u>Jct US 89 to MP 320, LCVs require Class E (see R17-6-206, Table 2)</u>			<u>92'</u>		<u>111,000</u>
<u>State</u>	<u>98</u>	<u>MP 361.39 (electrical wire near Jct US 160)</u>		<u>16'6"</u>			
<u>State</u>	<u>101</u>	<u>All of route</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>State</u>	<u>160</u>	<u>MP 470 to MP 394, LCVs require Class E (see R17-6-206, Table 2)</u>			<u>92'</u>		<u>123,500</u>
<u>US</u>	<u>163</u>	<u>Jct US 160 (Kayenta) to State Line</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>163</u>	<u>MP 410 to MP 394.5, requires Class E (See R17-6-206, Table 2)</u>			<u>92'</u>		<u>123,500</u>
<u>State</u>	<u>170</u>	<u>Jct US 70 to Route End</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>177</u>	<u>Winkelman to Jct US 60 (Superior)</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>179</u>	<u>Jct I-17 to Sedona</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>180</u>	<u>Jct SR 64 to Flagstaff</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>180</u>	<u>Jct US 60 (Springerville) to Jct US 191 (Alpine)</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>180</u>	<u>Jct SR 77 to Jct SR 61</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>181</u>	<u>Jct US 191 to MP 65.04 (Chiricahua Nat'l Monument)</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>186</u>	<u>Dos Cabezas (MP 342.92) to Jct SR 181</u>				<u>10' requires F/R</u>	
<u>State</u>	<u>187</u>	<u>Jct 387 to Jct SR 87</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>188</u>	<u>MP 250 to MP 260</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>191</u>	<u>Jct I-40 to Jct US 160</u>				<u>12' requires F/R</u>	
<u>US</u>	<u>191</u>	<u>MP 173.18 to Jct US 180 (Alpine)</u>			<u>40'</u>	<u>Over 8' requires class C permit</u>	
<u>State</u>	<u>202</u>	<u>All of route</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>State</u>	<u>260</u>	<u>Jct SR 87 (Payson) to Star Valley</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
<u>State</u>	<u>260</u>	<u>Jct SR 87 (Payson) to MP 339</u>				<u>12' requires F/R</u>	
<u>State</u>	<u>260</u>	<u>MP 358 to MP 410</u>			<u>80'+ requires F/R</u>	<u>12' requires F/R</u>	
<u>State</u>	<u>261</u>	<u>MP 394.4 to 412.7</u>					<u>35,000</u>

Arizona Administrative Register
Notices of Proposed Rulemaking

State	<u>264</u>	<u>Jct US 160 to MP 471.29</u>				<u>12' requires F/R</u>	
State	<u>266</u>	<u>Jct US 191 to MP 123.8</u>				<u>12' requires F/R</u>	
State	<u>273</u>	<u>All of route</u>			<u>80'+ requires F/R</u>	<u>10' requires F/R</u>	<u>20.000</u>
State	<u>286</u>	<u>International Boundary to Jct SR 86</u>				<u>12' requires F/R</u>	
State	<u>288</u>	<u>Jct SR 188 to Route End (Near Young)</u>			<u>70'</u>	<u>Over 8' requires class C permit</u>	
State	<u>288</u>	<u>MP 262.44 (Salt River Bridge)</u>		<u>12'</u>			<u>80.000</u>
State	<u>289</u>	<u>Jct I-19 to Route End</u>				<u>10' requires F/R</u>	
State	<u>347</u>	<u>Jct SR 84 to Jct I-10</u>	<u>See R17-6-211, R17-6-405, R17-6-409</u>				
State	<u>366</u>	<u>MP 115 to Route End (Graham Peak)</u>			<u>40'</u>	<u>Over 8' requires class C permit</u>	
State	<u>377</u>	<u>Jct SR 277 to Jct SR 77</u>				<u>12' requires F/R</u>	
State	<u>386</u>	<u>Jct SR 86 to Kitt Peak</u>				<u>10' requires F/R</u>	
State	<u>389</u>	<u>LCVs only - All of route requires Class E (See R17-6-206, Table 2)</u>			<u>92'</u>		<u>123.500</u>
State	<u>473</u>	<u>Jct SR 260 to Route End (Hawley Lake)</u>			<u>60'+ requires F/R</u>	<u>10' requires F/R</u>	<u>20.000</u>
State	<u>564</u>	<u>Jct US 160 to Route End</u>				<u>12' requires F/R</u>	

ARTICLE 5. ENVELOPE PERMIT SPECIAL PROVISIONS

R17-6-501. Envelope Permit Required Recordkeeping

A. As prescribed under A.R.S. § 28-1149, an envelope permittee shall retain records:

1. For three years;
2. At an established place of business;
3. For each transported load, and
4. That consist of the following:
 - a. Bill of lading;
 - b. Shipping manifest, and
 - c. Each time card or invoice.

B. A retained record under subsection (A)(4) shall contain, at least, the following information:

1. Document preparation date;
2. Name of shipper and receiver;
3. Load origin and destination;
4. Dates of transit, and
5. Transit route.

R17-6-502. Envelope Permit Suspension Point System

The Director shall implement provisions prescribed under A.R.S. § 28-1147 by assigning points for envelope permit violations as follows:

1. Minor violations - 1 point:
 - a. Improper or inadequate flagging as prescribed under R17-6-302;

Arizona Administrative Register
Notices of Proposed Rulemaking

- b. Improper or inadequate lighting as prescribed under R17-6-304;
- c. Improper or inadequate "OVERSIZE LOAD" signage display as prescribed under R17-6-303;
- d. Use of an improperly equipped escort vehicle as prescribed under R17-6-305;
- e. Failure to maintain proper follow-distance from another overdimensional vehicle or load as prescribed under R17-6-401(C).
- f. Failure of an escort vehicle to maintain proper distance as prescribed under R17-6-305; and
- g. Exceeding permitted speed but not exceeding posted speed as prescribed under R17-6-402.
- 2. Major violations - 3 points:
 - a. Moving a permitted load on a curfew-restricted highway during curfew hours as prescribed under R17-6-404 through R17-6-406.
 - b. Failure to display flags or lights when required under R17-6-302 or R17-6-304.
 - c. Failure to display "OVERSIZE LOAD" signage when required under R17-6-303.
 - d. Exceeding the posted speed limit, and
 - e. Moving a reducible load with a permit.
- 3. Weight Violations, 1-36 points:
 - a. Gross vehicle weight exceeds weight as allowed by R17-6-411, A.R.S. § 28-1099, or 28-1100:
 - i. Less than 2% over allowable weight - 1 point.
 - ii. 2% but less than 4% over allowable weight - 2 points.
 - iii. 4% but less than 6% over allowable weight - 3 points.
 - iv. 6% but less than 9% over allowable weight - 6 points.
 - v. 9% but less than 12% over allowable weight - 10 points.
 - vi. 12% but less than 15% over allowable weight - 18 points, and
 - vii. 15% or more over allowable weight - 36 points.
 - b. For each axle group exceeding weight as allowed by R17-6-411, A.R.S. § 28-1099, or 28-1100:
 - i. Less than 4% over allowable weight - 1 point.
 - ii. 4% but less than 6% over allowable weight - 2 points.
 - iii. 6% but less than 9% over allowable weight - 4 points.
 - iv. 9% but less than 12% over allowable weight - 6 points.
 - v. 12% but less than 15% over allowable weight - 10 points.
 - vi. 15% but less than 20% over allowable weight - 18 points, and
 - vii. 20% or more over allowable weight - 36 points.
- 4. Flagrant Violations - 36 points:
 - a. Moving a permitted load on a highway under weather restrictions as prescribed under R17-6-403 or in violation of a law enforcement agency order.
 - b. Exceeding an envelope dimension as prescribed under R17-6-101(B)(8).
 - c. Falsifying a permit application.
 - d. Altering a permit.
 - e. Failure to pay repair cost for permittee-caused highway damage as prescribed under A.R.S. § 28-1107.
 - f. Moving a permitted load on a restricted highway or restricted bridge, and
 - g. Failure to use a required escort vehicle as prescribed under R17-6-305.

R17-6-503. Envelope Permit Suspension; Revocation; Enforcement

- A. Within 30 days of occurrence, a law enforcement agency shall transmit a copy of an envelope permit violation to Arizona Central Commercial Permits.**
- B. The Department shall suspend an envelope permit for point accumulation within any 12-month period according to the following schedule:**
 - 1. 14-19 points, 1-week suspension.
 - 2. 20-29 points, 2-week suspension.
 - 3. 30-35 points, 4-week suspension, and
 - 4. More than 35 points, a suspension period as determined by the Department for up to 1-year.
- C. The Department shall revoke an envelope permit for the following reasons:**
 - 1. Frequency of violation indicates a flagrant disregard for the law or the safety of the public.
 - 2. A permittee does not have an established place of business, or
 - 3. A permittee fails to maintain records required under R17-6-501 and A.R.S. § 28-1149.
- D. A permittee shall surrender the permit to the Department within 72 hours after an order of suspension or revocation becomes effective.**
 - 1. If the permittee fails to surrender the permit within five working days of oral or written demand, the Department shall suspend the permittee's envelope permit privileges for one year in addition to any other penalty assessed.
 - 2. The Department shall retrieve the permit if the permittee fails to return the permit within the prescribed time.

Arizona Administrative Register
Notices of Proposed Rulemaking

E. The Department shall not issue an envelope permit during a permittee's period of suspension or revocation.

R17-6-504. Notice of Point Assessment, Denial, Suspension, or Revocation

A. The Division shall send to a permittee's last known address of record advance notice of the following:

1. Intent to assess points; or
2. Permit denial, suspension, or revocation.

B. The notice shall inform the permittee of:

1. The right to a hearing on the noticed action, and
2. The procedure for requesting a hearing.

C. Any action prescribed under this Section becomes effective and final 25 days after the Division's action notice date unless a permittee submits a hearing request in compliance with procedure prescribed under R17-1-502.

R17-6-505. Envelope Permit Reapplication

A. If an envelope permit is denied, an applicant may reapply immediately.

B. If an envelope permit is revoked, the revoked permittee shall not reapply until after the revocation period is terminated.

C. Upon reapplication, an applicant shall show by a preponderance of evidence that the underlying cause for denial or revocation has been removed.

ARTICLE 6. MANUFACTURED HOME PERMIT SPECIAL PROVISIONS

R17-6-601. Self-issue Prepaid Permit Enforcement

Upon examination of a manufactured home self-issue prepaid permit, a law enforcement officer shall:

1. Void any incorrect or incomplete permit, and
2. Prohibit any further movement of an invalidly permitted vehicle until the Arizona Central Commercial Permits office issues a valid replacement permit.

R17-6-602. Penalties

A. The Division shall suspend for one year a transporter's privilege to use self-issue prepaid manufactured home permits if the transporter fails to comply with:

1. An applicable safety requirement under R17-6-301 through R17-6-307; or
2. An applicable transport restriction under R17-6-401 through R17-412.

B. The Division shall permanently revoke a transporter's privilege to use self-issue prepaid manufactured home permits upon the transporter's subsequent failure to comply with a required provision under subsection (A).